

# HOUSE JOURNAL

OF THE  
Third Extraordinary Session  
Forty-Third Legislature

OF THE  
STATE OF WASHINGTON

AT  
Olympia, the State Capital

Convened January 14, 1974  
Adjourned Sine Die April 24, 1974



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LEONARD A. SAWYER, *Speaker*  
JOHN L. O'BRIEN, *Speaker Pro Tempore*  
DEAN R. FOSTER, *Chief Clerk*  
DONALD R. WILSON, *Assistant Chief Clerk*  
ELJO SUTHERLAND, *Minute Clerk*

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CHARLENE DIEHL, *Status Clerk*



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## FIRST DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 14, 1974.

The House was called to order at 9:00 a.m. by the Speaker.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Father William Treacy of St. Michael's Catholic Church of Olympia:

"Almighty God, we pause on this first day of this legislative session to ask Thy assistance and help for the members of the House of Representatives.

"Their task is often tedious. The hours are long. Their labors frequently unappreciated and their profession besmirched and soiled by the sins of a few, which led some to forego this honorable profession and opportunity for service to our fellow man.

"Like a mighty prophet of old, Solzhenitsyn tells us and warns us of the tyranny and oppression in his native Russia, when people surrender their freedom to those who have no regard or care for the individual and his freedom and dignity.

"Grant that this session of our Legislature, by the courage and wisdom of the members of this House in facing the problems of our State will thereby give confidence to all of us in the democratic process and system of government, and in its ability to cope with the problems and difficulties of our time. Amen."

## MESSAGE FROM THE SECRETARY OF STATE

January 14, 1974.

TO THE HONORABLE,  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
THE LEGISLATURE OF THE STATE OF WASHINGTON,  
OLYMPIA, WASHINGTON  
MR. SPEAKER:

I, A. Ludlow Kramer, Secretary of State of the State of Washington and custodian of the Seal of said State, do hereby certify that: I have carefully compared the annexed copy of a proclamation by the Governor calling an extraordinary session of the Legislature to convene on the 14th day of January, 1974, with the original copy of said proclamation now on file in this office, and find the same to be a full, true and correct copy of said original, and the whole thereof, together with all official endorsements thereon.

IN TESTIMONY WHEREOF, I have set my hand and affixed hereto the seal of the state of Washington. Done at the Capitol at Olympia on this date of January 14, 1974.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER,  
Secretary of State.

#### PROCLAMATION BY THE GOVERNOR

In my proclamation dated August 21, 1973 convening an extraordinary session of the Legislature in September, I listed a number of subjects of critical concern which required action by the Legislature. While the Second Extraordinary Session of the 43rd Legislature, by the time of its adjournment on September 15, 1973, had acted on a good number of those subjects, work on significant legislation vital to our citizens remains to be completed. In addition, we are now aware of the gravity and extent of the energy crisis which goes far beyond the electric power shortages existing at the time of the September session, for which legislation must be enacted to meet its broadening impact.

More specifically, the areas of major concern to which the Legislature must direct its attention are:

1. Energy Crisis. An extension of the emergency powers in the area of electric consumption and usage granted to the Governor in the September session is crucial so that our state can meet the crisis caused by shortages in oil and other fuels.

2. Department of Transportation. Now, more than ever, this state must address itself to the problem of integrated transportation planning beyond our traditional ties with the personal automobile and highways. Shortages of gasoline have put a glaring focus on the need for a statewide planning and administrative structure to preserve and to further technical competence in the area of transportation.

3. Public Transportation Funding. Legislation now pending designed at revising the gasoline tax structure in order to make possible funding of public transportation systems must be passed to help alleviate the short and long term problems created by fuel shortages.

4. Statewide Land Use Planning. Legislation in this area is critically needed at this time not only on the merits of the issue, but also in light of imminent action in Congress on national land use control and management legislation. Our state must be prepared with the proper mechanism in the area of land use planning and management or risk the loss of substantial control to the federal government.

5. Supplemental State Budget. Supplemental appropriations and budget adjustments are needed to ensure that vital state programs are adequately funded throughout the remainder of the biennium.

In addition to the subjects above listed, the Legislature should also deal with: (1) Significant questions and needs in the area of state and local

relations; and (2) Determination of a proper forest excise tax rate.

As a result of the foregoing matters which have not been attended to, an emergency exists constituting an extraordinary occasion within the meaning of Article III, Section 7 of the Constitution of the State of Washington.

NOW, THEREFORE, I, Daniel J. Evans, Governor of the State of Washington, by virtue of the authority vested in me by the Constitution, do hereby convene the Legislature of the State of Washington in Extraordinary Session in the Capitol at Olympia on the fourteenth day of January, A.D. 1974, at the hour of nine o'clock a.m., and

I DO HEREBY SPECIFY, in accordance with the requirements of the Constitution that the purposes for which the Legislature is convened are:

To appropriate sufficient funds and raise sufficient revenues to carry on the necessary functions and services of state government; and

To consider the enactments of the several other measures specified above for the benefit of the people of the State of Washington.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia, this 18th day of December, A.D. Nineteen Hundred and Seventy-Three.

DANIEL J. EVANS,  
Governor.

MESSAGE FROM THE SECRETARY OF STATE

January 14, 1974

TO THE HONORABLE,  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
THE LEGISLATURE OF THE STATE OF WASHINGTON  
OLYMPIA, WASHINGTON.

SIR:

I, A. LUDLOW KRAMER, Secretary of State of the State of Washington, do hereby certify that the following is a full, true and correct list of the persons elected to the office of State Representative either at the state general election held on the seventh day of November, 1972 for two-year terms, or at the state general election held on the sixth day of November, 1973 for one year unexpired terms, as the case may be, and are entitled to serve in the Third Extraordinary Session of the Forty-third Legislature now convening:

STATE REPRESENTATIVES ELECTED NOVEMBER 7, 1972

<u>DISTRICT</u>	<u>NAME</u>	<u>COUNTIES REPRESENTED</u>
No. 1	Arthur C. Brown	King, part and
No. 1	Rick S. Bender	Snohomish, part
No. 2	Wayne Ehlers	Pierce, part and
No. 2	Phyllis K. Erickson	Thurston, part
No. 3	Margaret Hurley	Spokane, part
No. 3	Wm. J. S. May	
No. 4	James P. Kuehnle	Spokane, part and
No. 4	Walt O. Knowles	Whitman, part



No. 5	Geraldine McCormick	Spokane, part
No. 5	Edward T. Luders	
No. 6	A. J. "Bud" Pardini	Spokane, part
No. 6	Jerry C. Kopet	
No. 7	Joe D. Haussler	Ferry, Lincoln,
No. 7	William "Bill" Schumaker	Pend Oreille, Stevens and parts of Okanogan and Spokane
No. 8	Doris J. Johnson	Benton and Yakima,
No. 8	Max Benitz	part
No. 9	Otto Amen	Adams, Asotin, Gar-
No. 9	E. G. "Pat" Patterson	field and parts of Columbia, Grant and Whitman
No. 10	Simeon A. "Sim" Wilson	Island and Snohomish,
No. 10	Eleanor Fortson	part
No. 11	A. N. "Bud" Shinpoch	King, part
No. 11	John Bagnariol	
No. 12	Robert "Bob" Curtis	Chelan, Douglas and
No. 12	Earl F. Tilly	parts of Grant and Okanogan
No. 13	S. E. "Sid" Flanagan	Kittitas and parts of
No. 13	Frank "Tub" Hansen	Grant and Yakima
No. 14	Donald G. Garrett	Yakima, part
No. 14	Edward G. Ellis	
No. 15	Irving Newhouse	Yakima, part
No. 15	Sid W. Morrison	
No. 16	Jeannette C. Hayner	Franklin, Walla
No. 16	Charles D. Kilbury	Walla and Columbia, part
No. 17	Gene Laughlin	Klickitat, Skamania
No. 17	Harold S. Zimmerman	and Clark, part
No. 18	Alan Thompson	Cowlitz, part and
No. 18	William "Bill" Paris	Clark, part
No. 19	Robert L. "Bob" Charette	Grays Harbor and
No. 19	Eric O. Anderson	Pacific, part
No. 20	Elmer Jastad	Lewis, Wahkiakum and
No. 20	Hugh Kalich	parts of Cowlitz, Pacific and Thurston
No. 21	Dale E. Hoggins	Snohomish, part
No. 21	Gary A. Nelson	
No. 22	John L. Hendricks	Thurston, part
No. 22	DeLone (Del) Bausch	
No. 23	Rick Smith	Kitsap, part
No. 23	Robert Randall	
No. 24	Paul H. Conner	Clallam, Jefferson,
No. 24	Charles R. Savage	Mason and Thurston, part
No. 25	Leonard "Len" Sawyer	King, part and
No. 25	Marc Gaspard	Pierce, part
No. 26	C. W. "Red" Beck	Kitsap, part and Pierce, part
No. 27	Lorraine Wojahn	Pierce, part
No. 27	A. A. Adams	
No. 28	Helmut L. Juelling	Pierce, part
No. 28	Richard J. Kelley	
No. 29	P. J. "Jim" Gallagher	Pierce, part

No. 29	Mike Parker	
No. 30	Frank J. Warnke	King, part
No. 30	Robert E. "Bob" Gaines	
No. 31	Georgette Valle	King, part
No. 31	King Lysen	
No. 32	Al Williams	King, part
No. 32	Robert A. Perry	
No. 33	John E. "Jack" Cunningham	King, part
No. 34	Bill Leckenby	King, part
No. 34	Dave Ceccarelli	
No. 35	John L. O'Brien	King, part
No. 35	William "Bill" Chatalas	
No. 36	Helen Sommers	King, part
No. 37	John Eng	King, part
No. 37	Peggy Joan Maxie	
No. 38	Richard "Dick" King	Snohomish, part
No. 38	John Martinis	
No. 39	Art Clemente	King, part and
No. 39	Charles Moon	Snohomish, part
No. 40	Don Hansey	San Juan, Skagit and
No. 40	Duane L. Berentson	Whatcom, part
No. 41	Axel Julin	King, part
No. 41	William Polk	
No. 42	H. A. "Barney" Goltz	Whatcom, part
No. 42	Dan Van Dyk	
No. 43	John Rabel	King, part
No. 43	Jeff Douthwaite	
No. 44	Donn Charnley	King, part
No. 44	Lois North	
No. 45	Alan Bluechel	King, part
No. 45	Gary Lee Matthews	
No. 46	Paul Kraabel	King, part
No. 46	E. Scott Blair	
No. 47	Kent Pullen	King, part
No. 47	Frances C. North	
No. 48	James E. Gilleland	King, part
No. 49	Albert Bauer	Clark, part

STATE REPRESENTATIVES ELECTED NOVEMBER 6, 1973

<u>DISTRICT</u>	<u>NAME</u>	<u>COUNTIES REPRESENTED</u>
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No. 48	Kemper Freeman, Jr.	King, part
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I further certify that as of December 3, 1973, RICHARD O. BARNES was appointed to the position of State Representative, 33rd Legislative District, to fill the vacancy caused by the resignation of State Representative Paul Barden and that as of December 27, 1973 RICHARD N. KISHIMOTO was appointed to the position of State Representative 49th Legislative District, to fill the vacancy caused by the resignation of State Representative Richard L. Smythe.

I further certify that as of December 31, 1973 THOMAS A. SWAYZE, JR. resigned his position as State Representative, 26th Legislative District, and on the same day, KENNETH O. EIKENBERRY resigned his position as State

Representative, 36th Legislative District, and that at the time of this certification, no appointments have been made to fill such vacancies.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this fourteenth day of January, A.D., 1974.

(Seal)

A. LUDLOW KRAMER,  
Secretary of State

MESSAGE FROM THE SECRETARY OF STATE

January 14, 1974

TO THE HONORABLE,  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
THE LEGISLATURE OF THE STATE OF WASHINGTON,  
OLYMPIA, WASHINGTON.

SIR:

I have the honor of herewith submitting a recapitulation of the votes cast at the General Election held throughout the State of Washington on the sixth of November, 1973, as canvassed by me from the returns made to this department by the respective County Auditors of the State.

A. LUDLOW KRAMER  
SECRETARY OF STATE  
Chief Election Officer,  
State of Washington.

INITIATIVES AND REFERENDUMS

INITIATIVE MEASURE NO. 282 relating to salaries of certain elective officials:

In favor of.....798,338  
Against.....197,795

REFERENDUM MEASURE NO. 36 relating to minimum legal age for the purchase and consumption of alcoholic beverages:

In favor of.....495,624  
Against.....510,491

REFERENDUM BILL NO. 32 relating to precinct committeemen becoming deputy voting registrars:

In favor of.....291,323  
Against.....609,306

REFERENDUM BILL NO. 33 relating to personalized motor vehicle license plates:

In favor of.....613,921  
Against.....362,195

PROPOSED CONSTITUTIONAL AMENDMENTS

HOUSE JOINT RESOLUTION NO. 22 relating to financing urban developments:

In favor of.....246,055  
Against.....655,125

HOUSE JOINT RESOLUTION NO. 37 relating to a graduated net income tax:

In favor of.....228,823  
Against.....770,033

HOUSE JOINT RESOLUTION NO. 40 relating to a revised formula for validating bond issues:

In favor of.....352,495  
Against.....501,618

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

The Speaker appointed the following committee along with the Sergeant at Arms to escort the Honorable Frank Hale, Chief Justice of the Supreme Court of the State of Washington, to the rostrum: Representatives Knowles, Gaspard and Hayner.

The Speaker appointed Representative Polk to escort Mr. Richard O. Barnes; Representative Bauer to escort Mr. Richard N. Kishimoto; and Representative Gilleland to escort Mr. Kemper Freeman, Jr. to the rostrum.

Chief Justice Frank Hale administered the oath of office to Richard O. Barnes, Richard N. Kishimoto and Kemper Freeman, Jr. and presented them with their certificates of office.

Representatives Polk, Bauer and Gilleland escorted Representatives Barnes, Kishimoto and Freeman to their seats.

The Speaker instructed the escort committee to escort Chief Justice Frank Hale from the House Chamber.

#### COMMITTEE FROM THE SENATE

Senators Day, Clarke and Marsh appeared at the bar of the House and reported that the Senate was organized and ready for business.

The committee retired.

#### RESOLUTION

HOUSE RESOLUTION NO. 74-155, by Representative Charette:

BE IT RESOLVED, That the Speaker appoint a committee of three members of the House to notify the Senate that the

House of Representatives is now organized and ready for business.

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

#### APPOINTMENT OF COMMITTEE

Under the provisions of House Resolution No. 74-155, the Speaker appointed Representatives O'Brien, Beck and Kopet to notify the Senate that the House of Representatives is now organized and ready for business.

#### RESOLUTION

HOUSE RESOLUTION NO. 74-156, by Representative Charette:

BE IT RESOLVED, That the state treasurer and budget director be, and they are hereby directed, to draw their warrants for payment of the salaries of the employees of the House of Representatives and members' subsistence allowance, and they are hereby authorized and directed to deliver the warrants to the Chief Clerk of the House.

BE IT FURTHER RESOLVED, That the Chief Clerk of the House, by and with the approval of the Speaker of the House, be authorized and directed to establish salaries of the employees of the House and to provide to each member the necessary supplies and materials required to operate the House.

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

#### INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 59, by Representative Charette:

Notifying the Governor that the Legislature is ready to convene.

On motion of Mr. Charette, House Concurrent Resolution No. 59 was advanced to second reading and read the second time; the second reading was considered the third, and House Concurrent Resolution No. 59 was placed on final passage and adopted.

HOUSE CONCURRENT RESOLUTION NO. 60, by Representative Charette:

Joint Session honoring Senator Jackson of the U. S. Senate.

On motion of Mr. Charette, House Concurrent Resolution No. 60 was advanced to second reading and read the second time; the second reading was considered the third and House Concurrent Resolution No. 60 was placed on final passage and adopted.

## REPORT OF SPECIAL COMMITTEE

The Special Committee consisting of Representatives O'Brien, Beck and Kopet, appointed to notify the Senate that the House is organized and ready for business, appeared before the bar of the House and reported that the Senate had been notified.

The report was received and the committee was discharged.

## RESOLUTION

HOUSE RESOLUTION NO. 74-158, by Representative Charette:

BE IT RESOLVED, That the permanent house rules of the Second Extraordinary Session, Forty-third Legislature shall be adopted by this House as temporary rules of the House of Representatives, Third Extraordinary Session, Forty-third Legislature.

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

## MESSAGE FROM THE SENATE

January 14, 1974

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 141,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 141, by Senators Bailey, Mardesich, Atwood and Lewis (Harry):

Providing for the reintroduction of legislative measures.

## MOTION

Representative Charette moved that Senate Concurrent Resolution No. 141 be considered immediately.

Representatives Charette and Newhouse spoke in favor of the motion.

The motion was carried.

On motion of Mr. Charette, the rules were suspended, Senate Concurrent Resolution No. 141 was advanced to second reading and read the second time; the second reading was considered the third and Senate Concurrent Resolution No. 141 was placed on third reading and final passage.

Senate Concurrent Resolution No. 141 was adopted.

## APPOINTMENT OF COMMITTEE

Under the provisions of House Concurrent Resolution No. 59, the Speaker appointed Representatives Charnley, Gallagher and Berentson to notify the Governor that the House is now organized and ready for business.

## REPORT OF SPECIAL COMMITTEE

The special committee, consisting of Representatives Charnley, Gallagher and Berentson, appointed under the provisions of House Concurrent Resolution No. 59 to notify the Governor, jointly with a committee from the Senate, that the legislature is organized and ready for business, appeared before the bar of the House and reported that the Governor had been notified.

The report was received and the committee was discharged.

## JOINT SESSION

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

The Speaker instructed the Sergeants at Arms of the Senate and the House to escort Lt. Governor Cherberg, President Pro Tempore Al Henry and Vice President Pro Tempore James E. Keefe to seats on the rostrum beside the Speaker.

The Speaker invited the members of the Senate to seats within the House.

The Speaker turned the gavel over to the President of the Senate.

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

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

The President of the Senate appointed Representatives Kalich, Charette and Newhouse; Senators Mardesich, Atwood and Bailey as a special committee to advise the Governor that the Joint Session had assembled.

The President of the Senate appointed Representatives Haussler, King and Morrison; Senators Sandison, Connor and Lewis (Harry) to escort the state elected officials to the bar of the House.

The Sergeant at Arms of the House announced the arrival of Governor Daniel J. Evans at the bar of the House, and the President requested the committee to escort him to a seat on the rostrum.

The President: "Honored members of this Legislature, ladies and gentlemen: The purpose of this joint session is to receive a message from Governor Daniel J. Evans. The Honorable Daniel J. Evans, Governor of the State of Washington."

President Evans: "Governor Cherberg, Speaker Sawyer, members of this Legislature: This message this morning will be as brief as I trust this session will be. But much more important than brevity, of course, is what will be accomplished during this 3rd extraordinary session of the 43rd Legislature. While it's called an extraordinary session, I view it, as I hope most of you view it, rather an annual session of this legislature designed to respond to the needs of our people to adjust the budget in light of changing conditions and to give us a better opportunity to meet the challenges of 1974, remarkably different from the challenges we faced just a year ago.

"Franklin D. Roosevelt said it perhaps best forty years ago when he said 'The only thing we have to fear, is fear itself.' In 1933 we had plunged into the worst depression in this nation's history. The economy was shattered, there was massive unemployment, agriculture was nearly destroyed and the monetary system was in disarray. Even with all these setbacks, however, there was among most of the people of that time a strong heartbeat of hope. People were resolved, together, to build a better society. With all of their problems people did have pride in themselves and hope for a better future.

"In contrast, in 1973 this state and this country enjoyed one of its best years economically. The increase in employment of 53,000 in this state was exceeded by only one year in our state's history. Today more people are at work in this state than ever before. We have fully recovered from the deep recession of the late 1960's and early 1970's. In nearly every major aspect of the economy there were substantial gains in employment and growth--with the exception of government. Agriculture enjoyed a record year, aerospace stabilized and grew, forest products were strong and the general well-being of the economy was spread throughout all parts of the state. All in all, 1973 was the second best year in the economic history of Washington.

"In meeting the most difficult problem of 1973--the shortage of electric energy--the people of this state responded to the situation in a voluntary way, which is, I believe, unprecedented in the history of our state, or for that matter, of the United States. Statewide electric energy usage was reduced 7 percent; state government reduced usage on the average of 20 percent and here on the Capitol campus energy use was reduced more than one-third.

"It is true that there were problems, serious problems, in 1973. Shortages of all kinds struck unexpectedly and dramatically. People questioned the shortages, but they were there. Inflation reached new levels and surely represents our most serious problem in 1974. The confidence people had in their government, in their institutions and finally in themselves seemed to reach new lows. A counsel of despair appeared to be the order of the day and it became fashionable for the richest, strongest,



freest and most fortunate people on the face of this earth to feel sorry for themselves and to seek understanding and even pity from their less fortunate neighbors.

"Yet, I am convinced the people of Washington, even as they face the chronic shortages of 1974 and beyond and the realization that hard choices have to be made, are eager and almost pleading to be involved in a challenge which is larger than themselves and to which they can devote their energies, their imaginations and their intellects. I believe this administration and this legislature would make a tragic mistake if we felt 1974 was a time to be fearful, to cast aside our great programs of the past, or to fail to dream the great dreams for the future.

"The people of Washington, I believe, will heed a call to greatness as never before in the past generation. We are a people who, having experienced the discord of the past decade, now can turn to building toward the future which can be ours during the next ten years. We cannot turn and run but must stand and confidently provide the leadership all citizens so fervently desire and should expect.

"Earlier this month I disclosed a new and innovative program, unique among the fifty states of this nation, whereby literally tens of thousands of the people of this state could band together to define the options for their future and then decide what that future should be. As I said, 'While we cannot escape history, we can, within reasonable limitations, be active makers of history rather than its helpless victims.' I invite this legislature, individually, and as a body, to work on this project both as an active participant in delineating our future options and, by 1975, a year from now, as the active instrument for putting the most desirable options into effect.

"Later this week I will announce the formation of a commission to conduct once again a major study of public employment and governmental productivity and efficiency. This citizen effort is designed to examine every facet of governmental operation and to report specific recommendations for better efficiency, clearer measurements of productivity and better means of personnel utilization. I expect to be able to utilize the great talents within the private sector of our economy and I expect the recommendations to come from this group to be action recommendations to which I pledge prompt response. Today we have a fine and exceptionally productive group of state employees. In most major areas of state government we are now serving more citizens per employee and doing it more effectively than was the case ten years ago or in virtually any of our sister states. But we can do better and we must do better. Again, I would ask the legislature to become an active participant in this major effort.

"There are a number of specific issues which I will place before the legislature which I believe represent the highest priority for our state. The list is not long, but nonetheless important. The energy shortage, although perhaps not as severe in this state as in others, should have by now convinced almost everyone of the folly of not providing for a comprehensive department of transportation and for a reform of transportation funding. If we are to

have, as so many have called for, an integrated and balanced transportation policy and if we are going to provide essential flexibility in transportation financing we do need these new pieces of legislation. Energy shortages simply are not going to disappear magically nor in a short period of time. Each local government, the cities and the counties of this state, as well as the state itself, I believe ought to have the wisdom and ought to have the ability to measure their own needs in transportation and be able to deal with those needs, both in terms of financing as well as management.

"This state, both individually and through the National Governors' Conference has been working closely with the federal government to assure a significant role for the states in energy allocation. The federal rules which will be published tomorrow will require an expansion of our allocation legislation so that we can act both promptly and decisively.

"We have been successful, through the National Governors' Conference in gaining this significant role for our state. We have succeeded, and now the challenge is ours--to be able to respond promptly and decisively when every allocation is required. No one seeks mandatory authority with any delight. It's not an easy task, it's not a very desirable task, but it's one which simply must be done if we're to meet, as well as possible, this energy problem.

"The best pollution control legislation of any state, the finest shoreline protection act in this country should be joined this session by comprehensive land use planning legislation. The legislation before you is good legislation. It has been worked on for months by broad citizen committees, as well as members of this legislature. Many have labored tirelessly to produce a bill embodying strong local control within a framework of state coordination. This state is noted for its progress in protecting its resources, and as the home of the distinguished United States Senator who is the leader in environmental matters and a prime mover of federal land use legislation. We ought to take some pride in passing a bill this session to show both to him and to our citizens, as well as the rest of the nation, our capacity for national leadership.

"The office of community development, now legally operating under an executive order, needs to be given legislative approval. It is doing outstanding work, I believe, now, and in recent months has made enormous strides in forging a new Washington partnership with local communities and governments.

"Several important measures designed to improve and strengthen our system of justice should be adopted. They are not new measures. They have been worked on hard by committees of this legislature and many of them have been introduced in past sessions. I believe three deserve your support this session. Implementation of these measures will enhance our system of justice and will lead to a more efficient management of that system of justice.

"In the field of consumer protection, two bills are urgently needed this session. Legislation providing for

the publishing of a drug formulary would enable consumers, particularly older persons, to purchase safe and therapeutically effective prescription drugs at a cost lower than those usually charged for the equivalent name brands. A committee has worked on this legislation, it has been adopted by our Board on Pharmacology, and I believe ought to be adopted by this legislature. Newborn insurance legislation would require that health care insurance provide coverage to newborn children or persons covered by the insurance contract from the time of birth.

"Many exceptions exist today. Many families are made destitute by severe medical costs occurring with or shortly after the birth of their children not covered by many of today's insurance contracts. Both of these measures can be of significant value to the many people in our state who simply do not have the resources to totally protect themselves.

"People expect and should receive effective results from their tax dollar. This session I shall seek two measures to help insure those results. The centralized administration of state government's motor vehicles, which I have requested several times before, and centralized school bus administration will provide better management and can provide substantial savings to the taxpayers of this state. I will work closely with this legislature and with individual members as you seek other such legislation which can perform equal services.

"For several sessions the issue of annual sessions has been before this legislature. By executive action, for the last six years annual sessions have in fact been the rule rather than the exception. I believe it is time to submit this issue by a constitutional amendment to the people of this state so that they can have the opportunity to vote on this question and so that citizens can be assured of the regularity and the control of legislative sessions.

"Finally, let me speak again about the budget. In a break with tradition and as a precursor of the law you passed a year ago which will require early submission of the budget starting next year, I submitted this budget in December, several weeks ahead of the session to allow early consideration of it by appropriate legislative committees. I trust this process now is well underway. This state has a history of careful fiscal management and an equal concern for its human and natural resources. It is time for us to stand up and be proud of what has been done and what is being done because it is a legislative as well as executive responsibility. In fiscal 1972, Washington ranked seventh among the eleven western states in terms of state and local taxes per \$1,000 of personal income. State taxes for fiscal 1972 increased only 4.3 percent over fiscal 1971. This was the second lowest rate of increase among the 50 states of this nation. During the 1965-72 period state and local government expenditures increased at a rate less than the national average. During this period I am confident the results, the excellence of response to the people of this state has been substantially above the national average. To a very high degree the proposals made in this budget concern those innovative and progressive programs which make this state a leader among the states in its

concern for people. Education, care for the mentally retarded, volunteer programs, library services are but a few of the areas where we should and I think we must continue our leadership. The program, a unique program to put this state among the forefront of all the states of the nation in volunteer efforts, will be presented. This program for local service will allow young people throughout the state to volunteer for a year of effort in the support of the various institutions of their community. They will be able to select the kind of work they do and the various community organizations will be able to seek out and bring on board these young volunteers. The program deserves, I believe, the support of this state as it has already had for the past year the support of the federal government.

"I strongly urge the legislature to help make the libraries of this state whole. They have been hurt, and hurt badly, by the recent changes in law and by court decisions that relate to property taxes. Your local libraries and the state library as well, will be unable to continue the excellent work they have carried out over past years unless there is some additional support from this session of our legislature.

"The retarded, especially those in our institutions, simply are not receiving to the extent they should educational and training opportunities, and this budget contains sufficient revenues to allow the continuation and expansion for those educational programs so that every youngster capable of receiving to whatever degree possible training or education, is able to get that training or education.

"I strongly urge the legislature to approve the exceptionally modest appropriations requested for the minority and equal rights commissions. I hope that these funds will not be caught up in either narrow partisanship or the equally erroneous position that the problems with which these commissions are working so successfully are resolved, because they are not.

"During the next several weeks the people will be watching to see how carefully and how promptly we discharge our responsibilities. I believe the business and budget of the state can and should be decided in the next 30 to 40 days. If, at any subsequent time, events dictate a further session, I would not hesitate to call one. But unnecessary delay in budget or legislative decisions now should receive strong citizen response and dissent.

"Each of us will be measured at the end of this session as to how well we conducted the peoples' business. If our performance consists of little more than partisan backbiting, struggles for privilege and prerogative and a small and mean response to the cry of the people for leadership, we will and should be judged accordingly. If, instead, we submerge needless partisanship, concern ourselves with making this system work rather than abetting its destruction and respond to the great issues of the day we can retrieve some of the lost luster of political leadership. We can be regarded as leaders who, in a difficult time, cared enough to be right rather than

expedient and who participated in a great partnership with the citizens of this state whom we all serve. Thank you."  
(Applause)

President Cherberg: "Thank you very much, Governor Evans. Would the Governor's escort committee please come to the rostrum and escort Governor Evans to his Chambers."

The committee retired.

The President of the Senate instructed the escort committee to escort the state elected officials from the House Chamber.

The committee retired.

#### MOTION

On motion of Mr. Thompson the Joint Session was dissolved.

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

The Speaker directed the Sergeants at Arms of the Senate and the House to escort the President, President Pro Tempore and Vice President Pro Tempore and the members of the Senate to the Senate Chamber.

The House resumed its session.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1170, by Committee on Social and Health Services (Endorsed by Representatives Adams, Savage, Matthews, Ellis, Fortson, Paris, Jastad, Hendricks, Johnson, May, Freeman, Wojahn, Zimmerman and Van Dyk):

AN ACT Relating to physicians; and amending section 11, chapter 134, Laws of 1919 as last amended by section 9, chapter 284, Laws of 1961 and RCW 18.71.090.

To Committee on Rules.

HOUSE BILL NO. 1171, by Committee on Education (Endorsed by Representatives Bauer, Ellis, Brown, Ehlers, Hoggins, Johnson, Clemente, Fortson, Bender, Eng, Tilly, Warnke, Chatalas, Gaines, Maxie, Laughlin and Van Dyk):

AN ACT Relating to education; and urban, rural, racial, and disadvantaged education programs; and adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.41 RCW.

To Committee on Rules.

HOUSE BILL NO. 1172, by Representatives Newhouse and Morrison:

AN ACT Relating to civil rights; amending section 21, chapter 37, Laws of 1957 as amended by section 118, chapter 81, Laws of 1971 and RCW 49.60.260; and amending section 23, chapter 37, Laws of 1957 and RCW 49.60.280.

To Committee on Judiciary.

HOUSE BILL NO. 1173, by Representatives Laughlin, Zimmerman, Bauer and Gaines:

AN ACT Relating to counties; and adding a new section to chapter 36.40 RCW.

To Committee on Local Government.

HOUSE BILL NO. 1174, by Representatives Bauer and Laughlin:

AN ACT Relating to swimming pools; amending section 5, chapter 57, Laws of 1957 and RCW 70.90.900; adding a new section to chapter 57, Laws of 1957 and to chapter 70.90 RCW; and prescribing an effective date.

To Committee on Local Government.

HOUSE BILL NO. 1175, by Representatives Bauer and Laughlin:

AN ACT Relating to pesticide application; amending section 16, chapter 249, Laws 1961 as amended by section 9, chapter 177, Laws of 1967 and RCW 17.21.160; and amending section 17, chapter 249, Laws of 1961 as last amended by section 10, chapter 177, Laws of 1967 and RCW 17.21.170.

To Committee on Agriculture.

HOUSE BILL NO. 1176, by Committee on Social and Health Services (Endorsed by Representatives Adams, Parker, Matthews, Fortson, Paris, Savage, Jastad, Hendricks, Ellis, Johnson, May, Wojahn, Zimmerman and Van Dyk):

AN ACT Relating to dentists; and amending section 13, chapter 112, Laws of 1935 as amended by section 4, chapter 47, Laws of 1969 and RCW 18.32.210.

To Committee on Rules.

HOUSE BILL NO. 1177, by Representatives Charette, Newhouse and Cunningham:

AN ACT Relating to county assessors; and adding a new section to chapter 36.21 RCW.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1178, by Representatives Wilson, Charnley, Kelley, North (Lois) and Rabel:

AN ACT Relating to motor vehicle excise tax; amending section 82.44.020, chapter 15, Laws of 1961 as amended by section 2, chapter 199, Laws of 1963 and RCW 82.44.020; amending section 82.44.040, chapter 15, Laws of 1961 and RCW 82.44.040; amending section 52, chapter 299, Laws of 1971 ex. sess. and RCW 82.44.045; amending section 82.44.050, chapter 15, Laws of 1961 as amended by section 3, chapter 199, Laws of 1963 and RCW 82.44.050; and providing an effective date.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1179, by Representatives Savage, Johnson and Kilbury:

AN ACT Relating to nuclear energy; amending section 2, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.015; and amending section 5, chapter 260, Laws of 1969 ex. sess. and RCW 44.39.030.

To Committee on Rules.

HOUSE BILL NO. 1180, by Representatives Thompson, Gaines and Zimmerman:

AN ACT Relating to counties; and amending section 36.32.240, chapter 4, Laws of 1963 as amended by section 15, chapter 144, Laws of 1967 ex. sess. and RCW 36.32.240.

To Committee on Local Government.

HOUSE BILL NO. 1181, by Representatives Luders, Kopet, Haussler, Bauer, Fortson, Gaines, Gallagher, Hansen, Hurley, Knowles, McCormick and Schumaker:

AN ACT Relating to tide and shorelands; amending section 2, chapter 217, Laws of 1971 ex. sess. and RCW 79.01.470; adding new sections to chapter 79.01 RCW; and repealing section 121, chapter 255, Laws of 1927, section 1, chapter 54, Laws of 1969 ex. sess. and RCW 79.01.484.

To Committee on Natural Resources.

## MOTION

On motion of Mr. Thompson, all bills on today's agenda were referred to the committees specified with the exception of House Bill No. 1180 to be referred to the Committee on Constitution and Elections.

## MOTION

Mr. Curtis moved that the Chairman of the Committee on Ways and Means - Revenue hold a hearing at the earliest possible time on HOUSE BILL NO. 1, HOUSE BILL NO. 386, and HOUSE BILL NO. 513.

Representatives Curtis and Bagnariol spoke in favor of the motion, and the motion was carried.

## MOTIONS

On motion of Mr. Thompson, HOUSE BILL NO. 1079 was rereferred from the Committee on Judiciary to the Committee on Social and Health Services.

On motion of Mr. Charette, the House adjourned until 11:15 a.m., Tuesday, January 15, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 15, 1974.

The House was called to order at 11:15 a.m. by the Speaker. The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Father William Treacy of St. Michael's Church of Olympia.

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

MESSAGES FROM THE SENATE

January 14, 1974

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 59,

HOUSE CONCURRENT RESOLUTION NO. 60,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE CONCURRENT RESOLUTION NO. 59,

HOUSE CONCURRENT RESOLUTION NO. 60.

MESSAGE FROM THE SECRETARY OF STATE

January 14, 1974

TO THE HONORABLE,  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
THE LEGISLATURE OF THE STATE OF WASHINGTON  
SIR:

I, A. LUDLOW KRAMER, Secretary of State of the State of Washington, do hereby certify that the attached is a full, true and correct copy of the appointment of KENNETH O. EIKENBERRY to the position of State Representative, 36th Legislative District, to fill the vacancy caused by the resignation of State Representative Kenneth O. Eikenberry.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this fourteenth day of January, A.D., 1974.

A. LUDLOW KRAMER,  
Secretary of State.

(Seal)

January 14, 1974

MR. A. LUDLOW KRAMER,  
SECRETARY OF STATE  
STATE OF WASHINGTON  
DEAR MR. KRAMER:

This is to officially notify you that Mr. Kenneth O. Eikenberry has been appointed by the King County Council as representative for the 36th District due to a vacancy in that position.

This appointment is effective as of January 14, 1974.

Very truly yours,  
KING COUNTY COUNCIL  
Dorothy M. Owens, Clerk of the Council.

The Speaker appointed Representative Sommers to escort Representative Designee Eikenberry to the rostrum.

The Speaker administered the oath of office to Kenneth O. Eikenberry.

Representative Sommers escorted Representative Eikenberry to his seat in the House Chamber.

#### INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1182, by Representatives Pullen, Shinpoch, Bagnariol, Freeman, Cunningham, North (Frances), Hayner, North (Lois) and Barnes:

AN ACT Relating to voting devices and vote tallying systems; adding a new section to chapter 29.34 RCW; and declaring an emergency.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1183, by Representatives Parker, Polk and Adams:

AN ACT Relating to emergency services; amending section 2, chapter 24, Laws of 1971 and RCW 28A.24.172; amending section 35A.38.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.38.010; amending section 3, chapter 252, Laws of 1969 ex. sess. and RCW 36.32.440; amending section 3, chapter 178, Laws of 1951 as last amended by section 1, chapter 203, Laws of 1967 and RCW 38.52.010; amending section 2, chapter 178, Laws of 1967 and RCW 38.52.020; amending section 5, chapter 178, Laws of 1951 and RCW 38.52.040; amending section 6, chapter 178, Laws of 1951 and RCW 38.52.050; amending section 7, chapter 178, Laws of 1951 and RCW 38.52.060; amending section 8, chapter 178, Laws of 1951 and RCW 38.52.070; amending section 9, chapter 178, Laws of 1951 and RCW 38.52.080; amending section 10, chapter 178, Laws of 1951 and RCW 38.52.090; amending section 12, chapter 178, Laws of 1951 and RCW 38.52.100; amending section 13, chapter 178, Laws of 1951 as last amended by section 1, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.110; amending section 14, chapter 178,

Laws of 1951 and RCW 38.52.120; amending section 15, chapter 178, Laws of 1951 as amended by section 2, chapter 145, Laws of 1953 and RCW 38.52.130; amending section 16, chapter 178, Laws of 1951 and RCW 38.52.140; amending section 18, chapter 178, Laws of 1951 and RCW 38.52.150; amending section 19, chapter 178, Laws of 1951 and RCW 38.52.160; amending section 20, chapter 178, Laws of 1951 and RCW 38.52.170; amending section 11, chapter 178, Laws of 1951 as last amended by section 2, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.180; amending section 3, chapter 223, Laws of 1953 and RCW 38.52.190; amending section 7, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.195; amending section 9, chapter 223, Laws of 1953 and RCW 38.52.200; amending section 4, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.205; amending section 5, chapter 8, Laws of 1971 ex. sess. and RCW 38.52.207; amending section 4, chapter 223, Laws of 1953 and RCW 38.52.210; amending section 7, chapter 223, Laws of 1953 and RCW 38.52.240; amending section 8, chapter 223, Laws of 1953 and RCW 38.52.250; amending section 10, chapter 223, Laws of 1953 and RCW 38.52.260; amending section 11, chapter 223, Laws of 1953 and RCW 38.52.270; amending section 12, chapter 223, Laws of 1953 and RCW 38.52.280; amending section 13, chapter 223, Laws of 1953 as amended by section 71, chapter 289, Laws of 1971 ex. sess. and RCW 38.52.290; amending section 15, chapter 223, Laws of 1953 and RCW 38.52.310; amending section 16, chapter 223, Laws of 1953 and RCW 38.52.320; amending section 17, chapter 223, Laws of 1953 as amended by section 72, chapter 289, Laws of 1971 ex. sess. and RCW 38.52.330; amending section 18, chapter 223, Laws of 1953 and RCW 38.52.340; amending section 19, chapter 223, Laws of 1953 and RCW 38.52.350; amending section 20, chapter 223, Laws of 1953 and RCW 38.52.360; amending section 21, chapter 223, Laws of 1953 and RCW 38.52.370; amending section 22, chapter 223, Laws of 1953 and RCW 38.52.380; amending section 1, chapter 178, Laws of 1951 and RCW 38.52.900; amending section 43.31.200, chapter 8, Laws of 1965 and RCW 43.31.200; amending section 46.16.340, chapter 12, Laws of 1961 as amended by section 23, chapter 32, Laws of 1967 and RCW 46.16.340; amending section 1, chapter 20, Laws of 1971 and RCW 51.12.035; amending section 1, chapter 142, Laws of 1947 and RCW 73.04.090; amending section 3, chapter 45, Laws of 1970 ex. sess. and RCW 80.50.030; and repealing section 3, chapter 6, Laws of 1972 ex. sess. and RCW 38.52.007.

To Committee on Social and Health Services.

HOUSE BILL NO. 1184, by Representatives Smith, Anderson and Gaines:

AN ACT Relating to food fish and shellfish; amending section 75.12.060, chapter 12, Laws of 1955 and RCW 75.12.060; and amending section 2, chapter 35, Laws of

1971 and RCW 75.16.100.

To Committee on Natural Resources.

HOUSE BILL NO. 1185, by Representatives Sommers, Shinpoch, Perry, Erickson, Bender and Blair:

AN ACT Relating to revenue and taxation; amending section 7, chapter 294, Laws of 1971 ex. sess. as amended by section 1, chapter 148, Laws of 1972 ex. sess. and RCW 82.04.291; and amending section 8, chapter 294, Laws of 1971 ex. sess. as last amended by section 92, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.33.080.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1186, by Representatives Smith and Fortson:

AN ACT Relating to the oceanographic commission; amending section 2, chapter 243, Laws of 1967 and RCW 43.94.020; and amending section 5, chapter 243, Laws of 1967 and RCW 43.94.050.

To Committee on State Government.

HOUSE BILL NO. 1187, by Representatives Shinpoch and Kopet:

AN ACT Relating to state government; creating the data processing revolving fund; adding a new section to chapter 43.105 RCW; and declaring an emergency.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1188, by Representatives Bagnariol, Blair and Ceccarelli:

AN ACT Relating to insurance; and amending section .15.09, chapter 79, Laws of 1947 as last amended by section 10, chapter 241, Laws of 1969 ex. sess. and RCW 48.15.090.

To Committee on Financial Institutions.

HOUSE BILL NO. 1189, by Representatives Erickson, Bauer, Brown, Ellis and Gaines:

AN ACT Relating to elections; amending section 2, chapter 10, Laws of 1970 ex. sess. as amended by section 7, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.180; amending section 29.21.230, chapter 9, Laws of 1965 as last amended by section 9, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.230; and amending section 29.82.020, chapter 9, Laws of 1965 as amended by section 1, chapter 205, Laws of 1971 ex. sess. and

RCW 29.82.020.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1190, by Representatives Bagnariol, Pardini and Ceccarelli:

AN ACT Relating to insurance; amending section .07.09, chapter 79, Laws of 1947 as amended by section 3, chapter 197, Laws of 1953 and RCW 48.07.090; amending section .10.07, chapter 79, Laws of 1947 as amended by section 5, chapter 195, Laws of 1963 and RCW 48.10.070; amending section .15.09, chapter 79, Laws of 1947 as last amended by section 10, chapter 241, Laws of 1969 ex. sess. and RCW 48.15.090; and providing penalties.

To Committee on Financial Institutions.

HOUSE BILL NO. 1191, by Representatives Bagnariol, Pardini and Ceccarelli:

AN ACT Relating to insurance; and amending section .14.02, chapter 79, Laws of 1947 as amended by section 9, chapter 241, Laws of 1969 ex. sess. and RCW 48.14.020.

To Committee on Financial Institutions.

HOUSE BILL NO. 1192, by Representatives Bagnariol, Pardini and Ceccarelli:

AN ACT Relating to insurance; amending section .14.02, chapter 79, Laws of 1947 as amended by section 9, chapter 241, Laws of 1969 ex. sess. and RCW 48.14.020; and amending section .29.15, chapter 79, Laws of 1947 and RCW 48.29.150.

To Committee on Financial Institutions.

HOUSE BILL NO. 1193, by Representatives Kilbury and Fortson:

AN ACT Relating to the legislature; adding a new chapter to Title 44 RCW; repealing section 85, chapter 249, Laws of 1909 and RCW 9.55.010; repealing section 86, chapter 249, Laws of 1909 and RCW 9.55.020; and prescribing penalties.

To Committee on Judiciary.

HOUSE BILL NO. 1194, by Representatives Smith, Randall and Beck:

AN ACT Relating to commercial herring fishing; and amending section 4, chapter 173, Laws of 1973 1st ex. sess. and

RCW 75.28.420.

To Committee on Natural Resources.

HOUSE BILL NO. 1195, by Representatives Adams, Freeman, Parker, Matthews, Fortson, Garrett, Smith, North (Frances), Hansen, Ellis, Rabel, Kalich, Conner, Hendricks, Paris, Wojahn, Johnson, Patterson, Eng, May, Savage, Jastad, Martinis, Zimmerman, Blair, Charnley, Erickson, Goltz, Hurley, Laughlin, Leckenby, Maxie, Nelson, Tilly, Van Dyk and Wilson:

AN ACT Relating to employees; eliminating the exemption of employees of nursing homes and hospitals from the minimum wage act; and amending section 1, chapter 294, Laws of 1959 as amended by section 2, chapter 18, Laws of 1961 ex. sess. and RCW 49.46.010.

To Committee on Labor.

HOUSE BILL NO. 1196, by Representatives Parker, Warnke, Savage, Bausch, May, King, Clemente, Bender and Fortson:

AN ACT Relating to unemployment compensation; amending section 8, chapter 266, Laws of 1959 as amended by section 3, chapter 3, Laws of 1971 and RCW 50.04.072; amending section 4, chapter 3, Laws of 1971 and RCW 50.04.073; amending section 89, chapter 35, Laws of 1945 as last amended by section 13, chapter 3, Laws of 1971 and RCW 50.24.010; amending section 104, chapter 35, Laws of 1945 as last amended by section 1, chapter 35, Laws of 1972 ex. sess. and RCW 50.24.160; amending section 20, chapter 3, Laws of 1971 as amended by section 2, chapter 35, Laws of 1972 ex. sess. and RCW 50.44.030; adding new sections to chapter 35, Laws of 1945 and Title 50 RCW to be codified as RCW 50.04.297, 50.16.055, 50.44.045, 50.44.075, 50.44.085, and RCW 50.98.090; repealing section 21, chapter 35, Laws of 1945, section 7, chapter 265, Laws of 1951, section 1, chapter 276, Laws of 1953, section 1, chapter 8, Laws of 1953 ex. sess., section 9, chapter 3, Laws of 1971, and RCW 50.04.200; prescribing an effective date; and declaring an emergency.

To Committee on Labor.

HOUSE BILL NO. 1197, by Representatives Bausch, Charette and Hendricks:

AN ACT Relating to the institutions of higher education; providing for the acquisition, construction, remodeling, furnishing and equipping of state buildings and facilities for said institutions of higher education; providing for the financing thereof by the issuance of bonds; adding new sections to Title 28B

RCW; and declaring an emergency.

To Committee on Higher Education.

HOUSE BILL NO. 1198, by Representatives Valle, Rabel, Adams, Eng and Perry:

AN ACT Relating to flammable fabrics; and adding new sections to chapter 70.110 RCW.

To Committee on Social and Health Services.

HOUSE BILL NO. 1199, by Representatives Fortson, Bender, Clemente, Charnley, Gaines and North (Frances):

AN ACT Relating to revenue and taxation; reenacting and amending section 84.40.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 187, Laws of 1973 1st ex. sess. and section 96, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.030; amending section 84.40.040, chapter 15, Laws of 1961 as last amended by section 97, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.40.040.

To Committee on Ways and Means - Revenue.

#### MOTION

On motion of Mr. Thompson, all bills on today's agenda under the fourth order of business were referred to the committees specified.

#### MOTION

On motion of Mr. Thompson, the following bills were rereferred from the Committee on Rules to the committees designated: HOUSE BILL NO. 39 to Committee on State Government; ENGROSSED HOUSE BILL NO. 150 to the Committee on Local Government; HOUSE BILL NO. 203 to the Committee on Labor; HOUSE BILL NO. 383 to the Committee on Local Government; ENGROSSED HOUSE BILL NO. 387 to the Committee on Education; HOUSE BILL NO. 430 to the Committee on Transportation and Utilities; HOUSE BILL NO. 431 to the Committee on Local Government; HOUSE BILL NO. 433 to the Committee on Education; HOUSE BILL NO. 526 to the Committee on Parks and Recreation; HOUSE BILL NO. 602 to the Committee on Labor; HOUSE BILL NO. 637 to the Committee on Natural Resources; HOUSE BILL NO. 670 to the Committee on Transportation and Utilities; HOUSE BILL NO. 791 to the Committee on State Government; ENGROSSED HOUSE BILL NO. 915 to the Committee on Financial Institutions; REENGROSSED HOUSE BILL NO. 1047 to the Committee on Financial Institutions; HOUSE BILL NO. 1063 to the Committee on Transportation and Utilities; SUBSTITUTE HOUSE BILL NO. 1077 to the Committee on Commerce; HOUSE BILL NO. 1116 to the Committee on Commerce; SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 25 to the Committee on Local Government.

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

#### JOINT SESSION

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

The Speaker requested the Sergeant at Arms of the House to escort the President, President Pro Tempore and Vice President Pro Tempore of the Senate to seats on the rostrum beside the Speaker.

The Speaker requested the Sergeants at Arms of the House and the Senate to escort the Senate members to seats within the House.

The Speaker turned the gavel over to the President of the Senate.

The President announced that with the consent of the members of the House and the Senate the roll call would not be called.

The President of the Senate appointed the following committee to escort the elected state officials of the State of Washington to the bar of the House: Representatives Flanagan, Ceccarelli and Curtis; Senators Odegaard, Lewis (Harry) and Talley.

The committee retired.

The Sergeant at Arms of the House announced the arrival of the elected state officials at the bar of the House, and the President invited them to seats at the front of the House Chamber.

The President of the Senate appointed the following committee to escort U. S. Senator Henry M. Jackson to the bar of the House: Representatives Gaines, Hoggins and Savage; Senators Ridder, von Reichbauer and Lewis (Robert).

The President: "Mr. Speaker, Senator Jackson, Father Treacy, Honored State Officials, esteemed members of the Legislature, ladies and gentlemen: The most crucial and dangerous stage of any impending crisis is the time when positive action can be taken to prevent disaster. With regard to the apparent shortage of energy throughout the nation and the world, that time is today. Those of us who now have the duties to deal with the problems surrounding the conservation and consumption of our energy needs must seek counsel in the most knowledgeable sources. We are indeed fortunate to have with us today, United States Senator Henry M. Jackson, a native son of Snohomish County in the state of Washington. As we are all aware, Senator Jackson has served with honor and distinction and served diligently on behalf of this state and the United States of America. He has achieved a career second to none. Senator Jackson is the most knowledgeable source on the subject of



the energy crisis facing the world. His experience and background in these complex matters will be relied upon by the United States Congress in the immediate future when it resumes its battle with the energy crisis problem. Scoop, everyone fortunate enough to be present today is most grateful to you for being with us in Olympia and we know that you will give us the information that we need concerning this vital issue. Ladies and gentlemen, it is with great pride and honor that I now present to you the Honorable Henry M. Jackson, United States Senator."

Senator Jackson: "Mr. President, Mr. Speaker, members of the House and Senate in Joint Session, and ladies and gentlemen: I am honored indeed to accept your kind invitation to address this Joint Session at a time of great, great uncertainty in our country's history. We're confronted with some of the most far-reaching problems that impact not only on our nation domestically, but impact on our nation internationally. We speak at a time when we don't have adequate information to deal with these problems. The facts are that we don't have the facts about how much oil is in inventory in various states of refinement, how much oil is being imported, how much oil is being exported, the amount of oil, if any, that is in shut-in wells, as they call them, capped wells. The list is long.

"I talked to Mr. William Simon, the head of the energy effort nationally and a very able man, and a great patriotic citizen. He made the same observation--we just don't have the facts. So on Monday next, I will have all the major international oil companies before my investigating committee to ask them to submit the data we have already requested covering the points I have mentioned and additional items. So that we can get the facts and with the facts we can act intelligently as legislators in dealing with this crisis.

"People ask me and they ask you 'Is there an energy crisis?' Well, I think that's a play on words. We're all politicians and to the man who has to stand in line for gasoline--I was at a breakfast in Shelton this morning and they couldn't come from one town because they're out of gas up there--it's a crisis. And to the person who sees in the paper that gasoline is going to be \$1.00 per gallon, I'd say it's a crisis. And to our senior citizens who are getting hit hard with terrible increases in fuel oil prices, it's a crisis. The real question is: Are these things being withheld that should be made available?

"Now the emergency energy bill which comes up at noon on Monday, after I have a hearing at 10 a.m., has many things in it of importance, and one thing will be to require the data that I have referred to by law. They say in the meantime we're not going to wait, we're going to move right ahead and get that basic information without delay. The immediate problem that you and I face is how to manage shortages. That's not a very pleasant political task, by any means, because you have to ration shortages in such a way as to do equity and to do it in a way that will not impair the economy of this state and the nation.

"May I mention to you that in the mandatory allocation act--fuels allocation act--the philosophy behind it was to give as much responsibility to the state to carry out the program as possible. We feel that local government knows more about the specific problems at the local level than does someone sitting in Washington, D. C. I hope you share that judgment, and hence we have made special provisions in the law authorizing the President of the United States to delegate authority on the allocation to state government, and there are set-asides to deal with emergencies in a way in which you can act effectively on specific problems. I believe that the Congress will approve my emergency bill when we return (it's passed the House and Senate--it's a Conference Report) and in that bill we have a provision to reimburse the states for the cost of carrying out federal programs--the salaries and the necessary expenses incident to the administration of these allocation programs. In addition, we provide in that emergency bill for conservation authority, and those programs we leave largely to the states. May I, at this point, say how proud I am of the state of Washington for taking the lead nationally, along with the state of Oregon, in conserving energy, because this is a main part of our emergency efforts. We've been on an energy binge too long. I hope you agree with that. We've been wasting it, we've been using it as if it were going out of style. Having lights in those big skyscrapers on 24 hours a day is not the way in which you conserve energy. Those two huge towers in Lower Manhattan consume as much energy in a 24-hour period as is consumed in a city the size of Spokane. They have finally turned them off. They have one light switch in each building, or two switches, either turn them all on or turn them all off. I hope you look at your building codes, too. They don't even allow an open window - they're sealed. I think in our drive for something to be new and different, totally functional, we lose sight of some of the simple things that I think are basically important.

"Our immediate problem of the emergency, and in this area, if I may say so, I think it's important for the state, and maybe the Legislature will want to consider means by which you can, through your state government, advise Mr. Jack Robertson, who is the Regional Director of the Federal Energy Office in Seattle, and I think a very able and competent person--he's a distinguished scientist--of the things that you anticipate will be in short supply. I think you might want to consider an early warning system. Agriculture has the highest priority on allocations and that includes our timber products industry. I think you might want to consider authority for your state government to collect the data so that you can advise Mr. Robertson in advance what your requirements are going to be. What the future needs will be for agriculture, for the timber products business, for fishing--take something highly seasonal--the construction business. We have a base period that is not good and that will have to be adjusted. I believe the State Legislature might do well to consider legislation that will help in marshalling the facts so that sensible decisions can be made in advance and made before we run into serious economic trouble.

"Now the immediate problem, besides rationing shortages, involves, in addition, getting an on-going program of land use planning underway. This is a function of the state. The only reason that I introduced a bill in the Congress was to find a means by which we could urge the states to undertake this function, and we provide in that legislation grants-in-aid of up to 90% for technical assistance to make it possible for the states to get started on a land inventory program, to make it possible for the states to look ahead. We're talking about literally rebuilding America between now and the year 2000 - where the highways of the future will go and be located, the airports, the industrial sites, the power siting. Do we need, ladies and gentlemen, to have all of these series of corridors across the Cascades? Much of it, most of it, is duplicated, when we could have maybe 2 or 3 energy cores and not rip up as much land as we have been doing. And then the other objective, of course, is to decide in advance and look ahead for planning purposes to the areas you want to preserve and conserve. The federal legislation, very simply stated, is an effort to urge the states to exercise state's rights, because only the states have the police power to do this job. But we face a crisis in this area. A while back I, like maybe some of the rest of you -- whenever a new industry came to town I was always muscling in the picture to claim credit. We were glad to welcome the new industries. Now, the odds are that the head of the new industry coming to town will be welcomed by the sheriff with a show-cause order why the industry should be located there. All I'm suggesting is that we need some guidelines, we need a road map, we need to be able to tell people where our power plants should be located, our energy sites, what areas ought to be conserved. I'm a life-long environmentalist. I can look at this both ways. I even authored the National Environmental Policy Act, but I know there's something rotten in Denmark when we have on the East Coast a situation where 70% of all their oil comes by tanker from abroad, and the states are all passing resolutions saying: 'We don't want a port or a refinery located on our coast.' Well, you know you can demagogue a little bit, but after a while it comes to a screeching bit of trouble especially when they turn it off, and you have to decide whether they're going to be cold, or whether there's going to be a facility. I want the states to move first. I've been proud of the state of Washington for its progressive leadership on the part of both political parties.

"Moving on then, the Land Use Bill in the Senate is supported by the Democrats and by the Republicans - it's a bi-partisan effort and I hope and trust that you will pass an appropriate land use bill in this session of the Legislature. We need some decisions regarding the areas that are to be conserved and the areas that are to be developed. The House is acting on my bill, I hope very shortly. It's all a part of the energy package, because you have to decide where these energy facilities are to be located. We passed the surface mining--so-called strip mining bill. It's a sensible bill. We just say if you can reclaim it, you can strip it. If you can't reclaim it, you

can't strip it. I don't think we want too many moon scars around the United States. So the immediate problem in energy that we face beyond the emergency is first, an all-out effort must now be made to develop the outer continental shelf and to build oil refineries. This is how you move immediately. It's fine to talk about solar energy, but tell the chap when he asks you when he's going to get some more gasoline: 'Well, you go down to the solar pump.' The solar pump may be 25 or 30 years away, and I don't think many of us will be around at that point.

"We need immediately to develop our own oil protection. Let me give you some brief figures. The total oil reserve for the world is 600 billion barrels--that's recoverable reserve, what you can dig out. That does not mean in-place reserves and they are many, many times greater than that, but this is what you can get out with current technology--600 billion barrels. Saudi Arabia, with 5 million people, has 300 billion barrels--one-half. United States of America, last year or last figures had 38.7 million barrels. We produce more and consume more than any nation on earth, so our reserves are going down. Now what do we have in the United States - I am convinced that in Alaska alone we have 100 billion barrels of oil that could be developed. Prudhoe Bay has 9.8 billion, the naval petroleum reserve has a minimum of 30 billion barrels, and that doesn't count the rest of the inland of Alaska and the outer continental shelf of Alaska, even though the outer continental shelf of Alaska is so vast that it is more than all of the other coastal and gulf states combined, about 50 to 60 percent of the total.

"And in the other areas of the outer continental shelf on the east coast, the west coast, the gulf, the public land, we have enormous reserves. So that's the task that we must move on immediately. We must cut the time from 8 years. We dawdle from the time a lease is sold; it's 8 years before oil appears. We want to cut that to about 3 to 4 years and do all of this in an environmentally acceptable way. We're not going out and insist that leases be sold in every area. We must pick the areas that will do the least amount of environmental damage, and I think that can be done.

"Then we must convert from oil to coal, and here we can save 2 million barrels a day. We consume 18 million barrels a day. We import a little over 6 million barrels a day. While we do that (I'll come to this main point in a minute) we must move forward with an on-going research and development system so that we can burn coal under boilers and do it without violence to the health of our people--clean air, and that we can do. A nation that can put all 12 men on the moon,--fantastic things that America has done--yet I've found that in this area we have done very, very little in the last 50 years in research. Burning coal under boilers, getting rid of the SO<sub>2</sub>, the sulphur, and other pollutants is the highest research development project of all. So here we could save 2 million barrels a day immediately in the next few months--a third of the conservation efforts that I have alluded to through proper practices in the area of conservation.

"For the longer term, the intermediate and longer term, America must make the decision, and I think America has made that decision. The Senate did in passing my bill for a 30 billion dollar minimum authorization over ten years for research and development to make this country self-sufficient within a decade. I am confident that we can do it. For the intermediate term it involves a massive research and development program to convert coal to petroleum and to natural gas. We have over half of the coal reserves of the world-- think of it, over half. We're in a unique position when it comes to the indigenous resources--Europe does not have this, Japan does not have those indigenous resources. Oil shale--we have a minimum of 600 billion barrels, equal to the total oil reserves of the world, that can be converted from that hard rock, and as high as 3 trillion barrels, five times the total reserves of the world, locked up in the Rocky Mountains, hard rock, you have to heat it to 800 or 900 degrees fahrenheit, but it can be converted to petroleum. Here again, this massive R & D effort is to come up with the best technique or techniques by which you can do it on an economically feasible basis and without doing violence to the environment.

"The third area is geothermal, the hot volcanic steam and water way down deep. We have it in our state. We estimate there are in the United States, primarily in the West and Louisiana, an equivalent of 20 Grand Coulees. This is a very important program.

"And then on down the road, looking out into the wild blue yonder, but we move all of these things concurrently - is fusion, the power of the hydrogen bomb. There's hydrogen as a fuel, which many experts say will be the substitute for gasoline in the future - very expensive now, and then there's solar energy, just to mention some. These are the infinite resources, unlimited, as compared with the finite resources which are limited and which we must recognize as limited, as we do our plans.

"And so I want to say that this program does involve the greatest research and development undertaking ever attempted by the United States of America in war or in peace - many times greater than the Manhattan project of World War II - many times greater than the Apollo program of the 1960's when we put a man, not one but 12, on the moon in 6 different voyages. It involves the marshalling of the brains involving all the disciplines of our nation, and you and I can be proud of the talent and the scientific and technological community of America. Many years after Krushchev announced that he was going to bury us, we find the Russians want our scientific and technological know-how like mad. But when you marry this scientific and technological know-how with these indigenous resources that I have referred to - the petroleum, the coal, the oil shale, the geothermal - you have an unbeatable combination. So in the midst of this crisis I bring you a word of good cheer. This is a manageable crisis.

"I want to say too, however, that as we look at our problems, we cannot ignore the problems of western Europe and Japan. It is important that we make sure that the economies of western Europe and Japan do not go under; they

face the most serious of all problems. Europe is dependent to the degree of some 80 percent for their petroleum supply from the Middle East. Japan - 90 percent for its supply. And in the midst of that, having succumbed to blackmail, most of them, they had to pay their on-going price, and after they agreed to change their foreign policy, they were greeted with another greeting - which you always get from a blackmailer - that the price went up a little bit. The price has been going up a little bit from \$3.50 a barrel to \$20 a barrel in less than 12 months. I don't want the United States of America ever to be postured in such a way that we will be subject to blackmail and will have to knuckle under to any potentate, no matter where he may be located in the world. (Applause)

"So this is what it's all about. The figures we don't have available. But I say to you that the United States of America cannot tolerate a program in which we are dependent currently for 35 percent of our life blood from abroad and if there is a settlement tomorrow in the Middle East, ladies and gentlemen, don't get the idea that our problems are over, because they are not going to increase their production even a tiny bit. I was in the Middle East last year and I talked to one of the leaders of Saudi Arabia--this poor little country with 300 billion barrels of oil, an income of \$3 billion the previous year. They made it very clear when I talked to them, and I brought this message back, but some people wouldn't listen. I said: 'Why don't you invest over in the United States?' I figured that if they invested enough over here, that when they attempted to nationalize our people over there, we could reciprocate over here. But they turned to me and said: 'Senator, can you think of a better investment than to keep our petroleum in the ground and just sell it as we need the revenue?' Well, I'm not an investment counselor but I said I couldn't disagree with them. As a matter of fact, had they gone to the best investment counselors on Wall Street a year ago and put it in the stock market it would be worth at least half of what it was worth then. In the meantime, they have had a 600 percent growth factor and I would think a good investment counselor who could produce for his client that well in one year, would make a good commission.

"The message is, that the Saudi's have cut their production from 8 million barrels to 6. They are making 4 times as much revenue. They'll take in 10 billion dollars. Secondly, they don't want to get too much money in the till, because they are sitting there as one of the 'have' countries surrounded by the Egyptians that are 'have nots'--35 million of them versus 5 million. And they know very well that unless they are very prudent that there will be a capital levy put on them, and they don't hesitate to blackmail each other in the Middle East. So let's don't count on any great relief even if there is a settlement in Geneva. It would be unwise, imprudent for us to do that. Our task now is to go full speed ahead with the program of self-sufficiency and in the meantime see to it that our program is handled in such a way that we do not distort our economy. This is the crucial thing. What's hanging over the United States and the western industrial consuming

countries is the danger of a major recession. As I said, I think it is a manageable crisis we face.

"In our own state, the reason that the economy of western Europe is important is that we export a lot of things to western Europe. We export a lot of agricultural products. We export lumber, pulp, and one of our biggest-commercial aircraft. Commercial aircraft could be seriously hurt with the postponement of orders here in this state, in this country nationally, and postponement of orders for the first time abroad. If the economies of Europe and Japan are hard hit, we must understand they will not be able to buy aircraft, and in the recession of 1970 the Boeing Company sold all of its commercial aircraft abroad, all of it--not a single plane sold in the United States commercially.

"So I think the legislature wants to watch carefully our industrial indicators. See to it that there is no cutback in the energy requirements for the job-producing industries in this state. This is an important item. All of these things are difficult. They are troublesome. They are all manageable. I want to assure you, both Republican and Democrat alike, of my desire to work with you in finding a common solution as I will work with your leaders on both sides of the aisle and work with the head of this energy effort, William Simon, who I think is an honest, confident, dedicated American--he doesn't belong to the same political party that I belong to. But I feel very deeply that in this point in our history it is so important that we act constructively and in the best interest of all of our citizens. We've all learned in politics, both sides of the aisle, that there are times when the best politics are no politics and that is right now. Thank you."

(Applause)

The President of the Senate instructed the committee consisting of Representatives Gaines, Hoggins and Savage, and Senators Ridder, von Reichbauer and Lewis (Robert) to come forward and escort Senator Henry M. Jackson to the State Reception Room.

The committee retired.

The President requested the committee consisting of Representatives Flanagan, Ceccarelli and Curtis; Senators Odegaard, Lewis (Harry) and Talley to come forward and escort the elected state officials from the House Chamber.

#### MOTION

On motion of Representative Thompson, the Joint Session was dissolved.

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

The Speaker directed the Sergeants at Arms of the Senate and the House to escort the President, President Pro Tempore and Vice President Pro Tempore, and the members of the Senate to the Senate Chamber.

The House resumed its session.

RESOLUTIONS

HOUSE RESOLUTION NO. 74-159, by Representatives Douthwaite, Maxie, Clemente, Goltz, Bender and Eng:

WHEREAS, We the members of the House of Representatives gathered together here this fifteenth day of January at the seat of honor of the State to do the business of and to carry out the responsibilities to the citizens of this state, recognize that in our desire to reach the peak of achievement we have the example of a Great American to show us the way; and

WHEREAS, This man, a man of God, dedicated his life to bettering the quality of this society and the possibility of world peace; and

WHEREAS, This man dared us to trust God as he dedicated his life to the services of God; and

WHEREAS, This man had a dream, that some day this great country of ours would realize the potential of its Constitution, its Declaration of Independence, and its Bill of Rights, to free all men of the injustices of this society; and

WHEREAS, This man taught us how to be true Americans; his bravery forcefully reminds us that we are citizens in the land of the brave and his dedication to truth and equality has set us on our way to "One Nation under God with Liberty and Justice for All"; and

WHEREAS, The Montgomery Bus Strike is not so far away in our memories nor is the group which he founded, the Southern Christian Leadership Conference, whose very name bespeaks a Chapter in our Nation's history;

NOW, THEREFORE, BE IT RESOLVED, That on this day we, the House of Representatives of the State of Washington, pause in our deliberation to give honor to one of our most honorable citizens, Dr. Martin Luther King, Jr., and call attention of the citizens of this state to his contributions to the Unity of our Nation; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House shall transmit a copy of this resolution to Dr. King's beloved widow and members of his family.

Mr. Douthwaite moved that the resolution be adopted, and spoke in favor of it.

The resolution was adopted.

MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Wednesday, January 16, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 16, 1974.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Father William Treacy of St. Michael's Church of Olympia.

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

MESSAGE FROM THE SECRETARY OF STATE

TO THE HONORABLE,  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
THE LEGISLATURE OF THE STATE OF WASHINGTON  
SIR:

According to the records now on file in my office, the Boards of County Commissioners of Pierce and Kitsap Counties as of this date have in concert appointed John Honan to the position State Representative, 26th Legislative District, State of Washington to fill the vacancy caused by the resignation of State Representative Thomas Swayze, Jr.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, the fifteenth day of January, A.D., 1974.

A. LUDLOW KRAMER,  
Secretary of State.

(Seal)

The Speaker appointed Representative Beck to escort Representative Designee John Honan to the bar of the House.

The Speaker administered the oath of office to John Honan.

The Speaker requested Representative Beck to escort Representative Honan to a seat in the House Chamber.

MESSAGE FROM THE SENATE

January 15, 1974

Mr. Speaker:  
The President has signed:

SENATE CONCURRENT RESOLUTION NO. 141,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1200, by Representatives Kilbury, Benitz and Sommers:

AN ACT Relating to real property taxes; amending section 84.64.050, chapter 15, Laws of 1961 as amended by section 2, chapter 84, Laws of 1972 ex. sess. and RCW 84.64.050; amending section 84.64.070, chapter 15, Laws of 1961 as amended by section 2, chapter 88, Laws of 1963 and RCW 84.64.070; amending section 84.64.210, chapter 15, Laws of 1961 and RCW 84.64.210; repealing section 84.64.010, chapter 15, Laws of 1961 and RCW 84.64.010; repealing section 84.64.020, chapter 15, Laws of 1961 and RCW 84.64.020; repealing section 84.64.030, chapter 15, Laws of 1961, section 1, chapter 84, Laws of 1972 ex. sess. and RCW 84.64.030; repealing section 84.64.040, chapter 15, Laws of 1961 and RCW 84.64.040; repealing section 84.64.150, chapter 15, Laws of 1961 and RCW 84.64.150; repealing section 84.64.160, chapter 15, Laws of 1961 and RCW 84.64.160; repealing section 84.64.170, chapter 15, Laws of 1961 and RCW 84.64.170; and repealing section 84.64.240, chapter 15, Laws of 1961 and RCW 84.64.240.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1201, by Committee on Social and Health Services (Endorsed by Representatives Adams, Parker, Fortson, Ellis, Paris, Savage, Cunningham, Hendricks, Johnson, May, Freeman, Wojahn, Zimmerman, Gaines and Tilly):

AN ACT Relating to cities; and adding new sections to chapter 35.21 RCW.

To Committee on Rules.

HOUSE BILL NO. 1202, by Committee on Social and Health Services (Endorsed by Representatives Parker, Adams, Jastad, Ellis, Fortson, Eng, Johnson, Savage, Freeman, Matthews, Hendricks, Zimmerman, Tilly, Beck, Chatalas and Gaines):

AN ACT Relating to emergency medical care; and adding new sections to Title 70 RCW.

To Committee on Rules.

HOUSE BILL NO. 1203, by Committee on Social and Health Services (Endorsed by Representatives Adams, Parker, Fortson, Savage, Cunningham, Freeman, Paris, Hendricks, Johnson, May, Ellis, Wojahn, Zimmerman, Gaines and Tilly):

AN ACT Relating to counties; and adding new sections to chapter 36.32 RCW.

To Committee on Rules.

HOUSE BILL NO. 1204, by Representatives Adams, Parker, May, Ellis, Savage and Hansey:

AN ACT Relating to health and emergency services; establishing a common state-wide telephone number; and adding a new chapter to Title 70 RCW.

To Committee on Social and Health Services.

HOUSE BILL NO. 1205, by Representatives Adams, Savage, May, Parker and Van Dyk:

AN ACT Relating to acupuncture; and adding a new chapter to Title 18 RCW.

To Committee on Social and Health Services.

HOUSE BILL NO. 1206, by Representatives Bagnariol, Pardini and Kopet (by Office of Program Planning and Fiscal Management request):

AN ACT Relating to state government; amending section 1, chapter 129, Laws of 1973 1st ex. sess. and RCW 43.79.415; and declaring an emergency.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1207, by Representatives Bagnariol, Pardini and Kopet (by Office of Program Planning and Fiscal Management request):

AN ACT Relating to state government; abolishing certain accounts within the state general fund and transferring moneys thereto; adding new sections to chapter 43.79 RCW; and declaring an emergency.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1208, by Representatives Smith, Polk, Thompson and Paris:

AN ACT Relating to electrical contractors; amending section 1, chapter 30, Laws of 1969 as last amended by section

1, chapter 129, Laws of 1971 ex. sess. and RCW 19.28.120; adding new sections to chapter 19.28 RCW; and making an effective date.

To Committee on Commerce.

HOUSE BILL NO. 1209, by Representatives Fortson, Hayner, Gaines, Hansen and North (Frances):

AN ACT Relating to certificated employees of school districts; and amending section 16, chapter 15, Laws of 1970 ex. sess. as amended by section 2, chapter 49, Laws of 1973 and RCW 28A.67.070.

To Committee on Education.

HOUSE BILL NO. 1210, by Representatives Hansen, Bagnariol, Haussler, Amen, Conner, Goltz, Hansey, Kalich, Kilbury, Schumaker and Van Dyk:

AN ACT Relating to livestock; adding a new section to chapter 16.57 RCW; and making an appropriation.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1211, by Representatives Haussler, Bausch, Hendricks and Van Dyk:

AN ACT Relating to port districts; providing an alternative date for filing of final budgets; and adding a new section to chapter 159, Laws of 1959 and to chapter 53.35 RCW.

To Committee on Local Government.

HOUSE BILL NO. 1212, by Representatives Hansen, Lysen and Gallagher:

AN ACT Relating to motor vehicles; and amending section 46.44.040, chapter 12, Laws of 1961 as last amended by section 1, chapter 150, Laws of 1973 1st ex. sess. and RCW 46.44.040.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1213, by Representatives King and Brown:

AN ACT Relating to elections; amending section 35.22.150, chapter 7, Laws of 1965 and RCW 35.22.150; and adding a new section to chapter 7, Laws of 1965 and to chapter 35.22 RCW.

To Committee on Local Government.

HOUSE BILL NO. 1214, by Representatives Gaspard, Ceccarelli, Pardini, Zimmerman, Laughlin, Warnke, Bauer, Kishimoto, Williams, Luders and Thompson:

AN ACT Relating to public employment; and amending section 1, chapter 264, Laws of 1971 ex. sess. as last amended by section 1, chapter 99, Laws of 1973 1st ex. sess. and RCW 41.04.250.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1215, by Representatives Charette, Hayner and Juelling:

AN ACT Relating to education; amending section 28A.58.480, chapter 223, Laws of 1969 ex. sess. as amended by section 15, chapter 34, Laws of 1969 ex. sess. and RCW 28A.58.480.

To Committee on Judiciary.

HOUSE BILL NO. 1216, by Representatives Perry and Berentson:

AN ACT Relating to the state highway commission; amending section 2, chapter 16, Laws of 1963 as last amended by section 2, chapter 100, Laws of 1970 ex. sess. and RCW 46.61.405; and declaring an emergency.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1217, by Representatives Blair, Charette, Brown, Thompson and Charnley:

AN ACT Relating to public officers; and adding a new section to chapter 42.12 RCW to be codified as RCW 42.12.040.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1218, by Representative Charnley:

AN ACT Relating to real estate mortgages; adding a new section to chapter 61.12 RCW; and declaring an emergency.

To Committee on Financial Institutions.

HOUSE BILL NO. 1219, by Representatives Ceccarelli, King and Berentson:

AN ACT Relating to group insurance; and amending section .24.03, chapter 79, Laws of 1947 as last amended by section 23, chapter 70, Laws of 1965 ex. sess. and RCW

48.24.030.

To Committee on Financial Institutions.

HOUSE BILL NO. 1220, by Representatives Julin, Knowles, Smith and Eikenberry:

AN ACT Relating to the revised uniform enforcement of judgments act; adding a new chapter to Title 6 RCW; repealing section 1, chapter 191, Laws of 1953 and RCW 6.36.010; repealing section 2, chapter 191, Laws of 1953 and RCW 6.36.020; repealing section 3, chapter 191, Laws of 1953 and RCW 6.36.030; repealing section 4, chapter 191, Laws of 1953 and RCW 6.36.040; repealing section 5, chapter 191, Laws of 1953 and RCW 6.36.050; repealing section 6, chapter 191, Laws of 1953 and RCW 6.36.060; repealing section 7, chapter 191, Laws of 1953 and RCW 6.36.070; repealing section 8, chapter 191, Laws of 1953 and RCW 6.36.080; repealing section 9, chapter 191, Laws of 1953 and RCW 6.36.090; repealing section 10, chapter 191, Laws of 1953 and RCW 6.36.100; repealing section 11, chapter 191, Laws of 1953 and RCW 6.36.110; repealing section 12, chapter 191, Laws of 1953 and RCW 6.36.120; repealing section 13, chapter 191, Laws of 1953 and RCW 6.36.130; repealing section 14, chapter 191, Laws of 1953 and RCW 6.36.140; repealing section 15, chapter 191, Laws of 1953 and RCW 6.36.150; repealing section 16, chapter 191, Laws of 1953 and RCW 6.36.160; repealing section 17, chapter 191, Laws of 1953 and RCW 6.36.900; and repealing section 18, chapter 191, Laws of 1953 and RCW 6.36.910.

To Committee on Judiciary.

HOUSE BILL NO. 1221, by Representatives Conner, Jastad and Zimmerman:

AN ACT Relating to counties; and adding a new section to chapter 36.32 RCW.

To Committee on Local Government.

HOUSE BILL NO. 1222, by Representatives Ceccarelli, Pardini, Chatalas and Van Dyk:

AN ACT Relating to group life insurance; and amending section .24.03, chapter 79, Laws of 1947 as last amended by section 23, chapter 70, Laws of 1965 ex. sess. and RCW 48.24.030.

To Committee on Financial Institutions.

HOUSE BILL NO. 1223, by Representatives Ceccarelli, Berentson and Chatalas:

AN ACT Relating to insurance; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.17 RCW.

To Committee on Financial Institutions.

HOUSE BILL NO. 1224, by Representatives Randall, Bluechel and Douthwaite:

AN ACT Relating to revenue and taxation; amending section 1, chapter 191, Laws of 1939 as last amended by section 4, chapter 4, Laws of 1973 2nd ex. sess. and RCW 70.12.010; amending section 1, chapter 162, Laws of 1943 as last amended by section 79, chapter 195, Laws of 1973 1st ex. sess. and RCW 70.32.010; amending section 11, chapter 277, Laws of 1971 ex. sess. as last amended by section 82, chapter 195, Laws of 1973 1st ex. sess. and RCW 70.35.070; amending section 5, chapter 143, Laws of 1972 ex. sess. and RCW 70.35.075; amending section 16, chapter 110, Laws of 1967 ex. sess. as last amended by section 85, chapter 195, Laws of 1973 1st ex. sess. and RCW 71.20.110; amending section 7, page 210, Laws of 1888 as last amended by section 5, chapter 4, Laws of 1973 2nd ex. sess. and RCW 73.08.080; adding a new section to chapter 70.33 RCW; repealing section 3, chapter 117, Laws of 1959, section 1, chapter 101, Laws of 1961, section 15, chapter 110, Laws of 1967 ex. sess., section 24, chapter 277, Laws of 1971 ex. sess., section 80, chapter 195, Laws of 1973 1st ex. sess. and RCW 70.32.090; and repealing section 18, chapter 277, Laws of 1971 ex. sess., section 81, chapter 195, Laws of 1973 1st ex. sess., section 4, chapter 213, Laws of 1973 1st ex. sess. and RCW 70.33.040.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1225, by Representatives Shipoch, May, Bagnariol, Lysen, Bender, Charnley, Clemente, Cunningham, Eng, Fortson, Gaines, Goltz, Kilbury, Laughlin, Maxie, Pullen, Van Dyk and Warnke:

AN ACT Relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1971 ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.030; and prescribing an effective date.

To Committee on Ways and Means - Revenue.

## MOTIONS

On motion of Mr. Thompson all bills on today's agenda were referred to the committees so designated with the exception of HOUSE BILL NO. 1213 to be referred to the Committee on Constitution and Elections, and HOUSE BILL NO. 1215 to be referred to the Committee on Education.

On motion of Mr. Thompson, HOUSE BILL NO. 764 was rereferred from the Committee on Rules to the Committee on Education.

On motion of Mr. Thompson, ENGROSSED HOUSE BILL NO. 726 was rereferred from the Committee on Rules to the Committee on Ways and Means - Revenue.

On motion of Mr. Thompson, HOUSE BILL NO. 1159 was rereferred from the Committee on State Government to the Committee on Ways and Means - Revenue.

On motion of Mr. Thompson, HOUSE BILL NO. 1214 was rereferred from the Committee on Ways and Means - Appropriations to the Committee on Financial Institutions.

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

The Speaker called the House to order.

## COMMITTEE APPOINTMENTS

The Speaker announced the following committee assignment changes:

Representative Amen from the Committee on Transportation to the Committee on Ways and Means - Appropriations.

Representative Barnes to the Committees on Constitution and Elections, Education and Transportation and Utilities.

Representative Berentson from the Committee on Financial Institutions to the Committee on Higher Education.

Representative Brown from the Committee on Ways and Means - Appropriations to the Committee on Ways and Means - Revenue.

Representative Honan to the Committees on Local Government, Parks and Recreation and Social and Health Services.

Representative Kishimoto to the Committees on Education, Local Government and Natural Resources.

Representative Matthews from the Committee on Parks and Recreation to the Committee on Financial Institutions.

Representative Newhouse from the Committee on Ways and Means - Revenue to the Committee on Commerce.

Representative North (Lois) from the Committee on Local Government to the Committee on Judiciary.

Representative Pardini from the Committee on Commerce to the Committee on Rules.

Representative Polk from the Committee on Education to the Committee on Financial Institutions.



Representative Tilly from the Committee on Natural Resources to the Committee on Social and Health Services.

Representative Wilson from the Committee on Higher Education to the Committee on Transportation and Utilities.

Representative Zimmerman from the Committee on Social and Health Services to the Committee on Ways and Means - Appropriations.

#### MOTIONS

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

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Thursday, January 17, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 17, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present, except Representatives Bluechel, Julin and Williams who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Howard Perry of St. John's Episcopal Church of Olympia.

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

## MESSAGES FROM THE SENATE

January 16, 1974

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 59,

HOUSE CONCURRENT RESOLUTION NO. 60,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

January 16, 1974

Mr. Speaker:

The Senate has adopted:

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 143,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1226, by Committee on Transportation and Utilities (Endorsed by Representatives McCormick, Nelson, Gilleland, Patterson, Berentson, Ceccarelli, Beck, Pullen, Garrett, Gaines, Laughlin, Clemente, Bender, Kraabel, Hansen, Perry, Lysen, Gallagher, Leckenby and Charnley):

AN ACT Relating to motor vehicles; amending section 46.44.095, chapter 12, Laws of 1961 as last amended by section 3, chapter 150, Laws of 1973 1st ex. sess. and RCW 46.44.095; amending section 46.04.620, chapter 12, Laws of 1961 and RCW 46.04.620; amending section 46.44.030, chapter 12, Laws of 1961 as last amended by section 2, chapter 248, Laws of 1971 ex. sess. and RCW

46.44.030; adding a new section to chapter 46.04 RCW; and declaring an emergency.

To Committee on Rules.

HOUSE BILL NO. 1227, by Representatives Gaspard, Ceccarelli, Knowles and Ehlers:

AN ACT Relating to insurance; amending section .19.02, chapter 79, Laws of 1947 and RCW 48.19.020; and amending section .19.12, chapter 79, Laws of 1947 and RCW 48.19.120.

To Committee on Financial Institutions.

HOUSE BILL NO. 1228, by Representatives Bluechel, Bauer, Hoggins and Hendricks:

AN ACT Relating to schools; and adding a new section to chapter 28A.58 RCW.

To Committee on Education.

HOUSE BILL NO. 1229, by Representatives Beck, \*Knowles and Smith:

AN ACT Relating to odometers; amending section 7, chapter 112, Laws of 1969 and RCW 46.37.590; and repealing section 6, chapter 112, Laws of 1969 and RCW 46.37.580.

To Committee on Judiciary.

HOUSE BILL NO. 1230, by Representatives Jastad, Chatalas, Conner, Moon and Matthews:

AN ACT Relating to dentistry; amending section 2, chapter 112, Laws of 1935 as last amended by section 2, chapter 93, Laws of 1953 and RCW 18.32.035; and amending section 5, chapter 93, Laws of 1953 as last amended by section 2, chapter 49, Laws of 1969 and RCW 18.32.120.

To Committee on Social and Health Services.

HOUSE BILL NO. 1231, by Representatives Clemente, Flanagan and Thompson:

AN ACT Relating to certain contracts for work or purchases by school districts; amending section 28A.58.135, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 49, Laws of 1969 ex. sess. and RCW 28A.58.135; and declaring an emergency.

To Committee on Education.

HOUSE BILL NO. 1232, by Representatives Wojahn, Bagnariol, O'Brien, Curtis, Kilbury and Ceccarelli:

AN ACT Relating to embalmers and funeral directors; adding new sections to chapter 18.39 RCW; repealing section 1, chapter 108, Laws of 1937, section 1, chapter 107, Laws of 1965 ex. sess. and RCW 18.39.010; repealing section 2, chapter 108, Laws of 1937 and RCW 18.39.020; repealing section 2, chapter 52, Laws of 1955, section 2, chapter 107, Laws of 1965 ex. sess., section 23, chapter 292, Laws of 1971 ex. sess. and RCW 18.39.030; repealing section 4, chapter 108, Laws of 1937, section 1, chapter 150, Laws of 1945, section 2, chapter 105, Laws of 1947, section 3, chapter 107, Laws of 1965 ex. sess., section 24, chapter 292, Laws of 1971 ex. sess., section 1, chapter 120, Laws of 1972 ex. sess. and RCW 18.39.040; repealing section 6, chapter 108, Laws of 1937, section 8, chapter 266, Laws of 1971 ex. sess. and RCW 18.39.050; repealing section 5, chapter 108, Laws of 1937, section 4, chapter 107, Laws of 1965 ex. sess. and RCW 18.39.070; repealing section 3, chapter 52, Laws of 1955 and RCW 18.39.080; repealing section 7, chapter 108, Laws of 1937 and RCW 18.39.100; repealing section 10, chapter 108, Laws of 1937 and RCW 18.39.120; repealing section 15, chapter 108, Laws of 1937 and RCW 18.39.130; repealing section 8, chapter 108, Laws of 1937 and RCW 18.39.150; repealing section 12, chapter 108, Laws of 1937 and RCW 18.39.160; repealing section 16, chapter 108, Laws of 1937 and RCW 18.39.170; repealing section 11, chapter 108, Laws of 1937 and RCW 18.39.180; repealing section 9, chapter 108, Laws of 1937 and RCW 18.39.190; repealing section 15, chapter 215, Laws of 1909 and RCW 18.39.210; repealing section 13, chapter 108, Laws of 1937 and RCW 18.39.220; repealing section 17, chapter 108, Laws of 1937 and RCW 18.39.230; repealing section 18, chapter 108, Laws of 1937 and RCW 18.39.900; and prescribing penalties.

To Committee on Commerce.

HOUSE BILL NO. 1233, by Representatives Sommers, Flanagan and Douthwaite:

AN ACT Relating to revenue and taxation; and amending section 84.69.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 126, Laws of 1972 ex. sess. and RCW 84.69.020.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1234, by Representatives Brown, Randall and Hoggins:

AN ACT Relating to education; amending section 28A.57.020, chapter 223, Laws of 1969 ex. sess. as amended by section 25, chapter 48, Laws of 1971 and RCW 28A.57.020; amending section 28A.57.050, chapter 223,

Laws of 1969 ex. sess. as amended by section 120, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.050; amending section 28A.57.055, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.055; amending section 28A.57.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.060; amending section 28A.57.070, chapter 223, Laws of 1969 ex. sess. as amended by section 121, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.070; amending section 28A.57.075, chapter 223, Laws of 1969 ex. sess. as amended by section 122, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.075; amending section 28A.57.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.100; amending section 28A.57.150, chapter 223, Laws of 1969 ex. sess. as amended by section 126, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.150; amending section 28A.57.170, chapter 223, Laws of 1969 ex. sess. as amended by section 127, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.170; amending section 28A.57.180, chapter 223, Laws of 1969 ex. sess. as amended by section 128, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.180; amending section 28A.57.190, chapter 223, Laws of 1969 ex. sess. as amended by section 129, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.190; amending section 28A.57.200, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 86, Laws of 1970 ex. sess. and RCW 28A.57.200; amending section 28A.57.342, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 21, Laws of 1973 2nd ex. sess. and RCW 28A.57.342; amending section 28A.57.344, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 21, Laws of 1973 2nd ex. sess. and RCW 28A.57.344; amending section 28A.57.390, chapter 223, Laws of 1969 ex. sess. as amended by section 140, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.390; amending section 9, chapter 131, Laws of 1969 as amended by section 5, chapter 21, Laws of 1973 2nd ex. sess. and RCW 28A.57.425; amending section 28A.57.240, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 47, Laws of 1973 and RCW 28A.57.240; amending section 28A.56.005, chapter 223, Laws of 1969 ex. sess. and RCW 28A.56.005; amending section 28A.56.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.56.010; amending section 28A.56.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.56.020; amending section 28A.56.030, chapter 223, Laws of 1969 ex. sess. as amended by section 21, chapter 48, Laws of 1971 and RCW 28A.56.030; amending section 28A.56.040, chapter 223, Laws of 1969 ex. sess. as amended by section 22, chapter 48, Laws of 1971 and RCW 28A.56.040; amending section 28A.56.060, chapter 223, Laws of 1969 ex. sess. as amended by section 24, chapter 48, Laws of 1971 and RCW 28A.56.060; amending section 28A.56.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.56.070; repealing section 28A.57.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.030; repealing section 28A.57.031, chapter 223, Laws of 1969 ex. sess., section 115, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.031; repealing section 28A.57.032, chapter

223, Laws of 1969 ex. sess., section 116, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.032; repealing section 28A.57.033, chapter 223, Laws of 1969 ex. sess., section 117, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.033; repealing section 28A.57.034, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.034; repealing section 28A.57.035, chapter 223, Laws of 1969 ex. sess., section 118, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.035; repealing section 28A.57.040, chapter 223, Laws of 1969 ex. sess., section 119, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.040; repealing section 28A.57.110, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.110; repealing section 28A.57.245, chapter 223, Laws of 1969 ex. sess., section 132, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.245; making an effective date; and providing penalties.

To Committee on Education.

HOUSE BILL NO. 1235, by Representatives Bauer, Zimmerman and Kilbury:

AN ACT Relating to excise tax; and amending section 68, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.530.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1236, by Representatives Bauer, Zimmerman, Kilbury and Laughlin:

AN ACT Relating to vehicle licenses; amending section 20, chapter 231, Laws of 1971 ex. sess. as amended by section 6, chapter 103, Laws of 1973 and RCW 46.16.104; and amending section 21, chapter 231, Laws of 1971 ex. sess. and RCW 46.16.105.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1237, by Representatives Wojahn, North (Lois), Haussler and Charnley (by Department of Motor Vehicles request):

AN ACT Relating to the regulation of the sale of lands; amending section 3, chapter 12, Laws of 1973 1st ex. sess. and RCW 58.19.030; amending section 8, chapter 12, Laws of 1973 1st ex. sess. and RCW 58.19.080; amending section 9, chapter 12, Laws of 1973 1st ex. sess. and RCW 58.19.090; amending section 10, chapter 12, Laws of 1973 1st ex. sess. and RCW 58.19.100; and amending section 29, chapter 12, Laws of 1973 1st ex. sess. and RCW 58.19.290.

To Committee on Local Government.

HOUSE BILL NO. 1238, by Representatives Conner, Anderson and Berentson:

AN ACT Relating to motor vehicle licenses; amending section 46.16.137, chapter 12, Laws of 1961 as amended by section 17, chapter 32, Laws of 1967 and RCW 46.16.137; and prescribing an effective date.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1239, by Representatives Brown, Warnke and Fortson:

AN ACT Relating to education; amending section 28A.57.140, chapter 223, Laws of 1969 ex. sess. as amended by section 125, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.140; amending section 28A.52.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.52.050; amending section 28A.57.032, chapter 223, Laws of 1969 ex. sess. as amended by section 116, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.032; amending section 28A.57.050, chapter 223, Laws of 1969 ex. sess. as amended by section 120, chapter 176, Laws of 1969 ex. sess. and RCW 28A.57.050; amending section 28A.57.312, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 21, Laws of 1973 2nd ex. sess. and RCW 28A.57.312; amending section 28A.57.324, chapter 223, Laws of 1969 ex. sess. and RCW 28A.57.324; amending section 28A.57.328, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 67, Laws of 1971 and RCW 28A.57.328; amending section 28A.57.342, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 21, Laws of 1973 2nd ex. sess. and RCW 28A.57.342; amending section 28A.57.344, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 21, Laws of 1973 2nd ex. sess. and RCW 28A.57.344; amending section 4, chapter 67, Laws of 1971 and RCW 28A.57.356; amending section 5, chapter 67, Laws of 1971 as last amended by section 10, chapter 21, Laws of 1973 2nd ex. sess. and RCW 28A.57.357; amending section 6, chapter 67, Laws of 1971 as amended by section 4, chapter 21, Laws of 1973 2nd ex. sess. and RCW 28A.57.358; amending section 28A.57.415, chapter 223, Laws of 1969 ex. sess. as amended by section 27, chapter 48, Laws of 1971 and RCW 28A.57.415; amending section 28A.60.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.60.010; amending section 28A.60.070, chapter 223, Laws of 1969 ex. sess. as amended by section 35, chapter 48, Laws of 1971 and RCW 28A.60.070; amending section 28A.60.190, chapter 223, Laws of 1969 ex. sess. and RCW 28A.60.190; amending section 28A.60.200, chapter 223, Laws of 1969 ex. sess. and RCW 28A.60.200; amending section 28A.60.210, chapter 223, Laws of 1969 ex. sess. as last amended by section 46, chapter 154, Laws of 1973 1st ex. sess. and RCW 28A.60.210; amending section 5, chapter 8, Laws of 1971 and RCW 28A.60.310; amending section 28A.60.320, chapter 223, Laws of 1969 ex. sess.

and RCW 28A.60.320; amending section 1, chapter 111, Laws of 1973 and RCW 28A.60.328; amending section 28A.65.080, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 26, Laws of 1972 ex. sess. and RCW 28A.65.080; amending section 28A.65.090, chapter 223, Laws of 1969 ex. sess. as amended by section 26, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.090; amending section 28A.65.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 39, chapter 48, Laws of 1971 and RCW 28A.65.100; amending section 28A.65.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 41, chapter 48, Laws of 1971 and RCW 28A.65.120; amending section 28A.65.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 42, chapter 48, Laws of 1971 and RCW 28A.65.150; amending section 28A.66.010, chapter 223, Laws of 1969 ex. sess. as amended by section 2, chapter 111, Laws of 1973 and RCW 28A.66.010; amending section 28A.66.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.020; amending section 28A.66.040, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 111, Laws of 1973 and RCW 28A.66.040; amending section 28A.66.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.66.080; amending section 36.22.090, chapter 4, Laws of 1963 as amended by section 4, chapter 111, Laws of 1973 and RCW 36.22.090; amending section 42, chapter 80, Laws of 1947 as last amended by section 96, chapter 176, Laws of 1969 ex. sess. and RCW 41.32.420; amending section 84.52.020, chapter 15, Laws of 1961 and RCW 84.52.020; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.57 RCW; repealing section 28A.48.090, chapter 223, Laws of 1969 ex. sess., section 113, chapter 176, Laws of 1969 ex. sess. and RCW 28A.48.090; repealing section 28A.60.186, chapter 223, Laws of 1969 ex. sess., section 36, chapter 48, Laws of 1971, section 39, chapter 282, Laws of 1971 ex. sess. and RCW 28A.60.186; repealing section 28A.57.332, chapter 223, Laws of 1969 ex. sess., section 7, chapter 67, Laws of 1971 and RCW 28A.57.332; repealing section 28A.60.185, chapter 223, Laws of 1969 ex. sess. and RCW 28A.60.185; creating new sections; and making an effective date.

To Committee on Education.

HOUSE BILL NO. 1240, by Representatives Brown, Amen and Haussler:

AN ACT Relating to agriculture; and amending section 49, chapter 145, Laws of 1969 and RCW 16.49A.490.

To Committee on Agriculture.



HOUSE BILL NO. 1241, by Representative Smith:

AN ACT Relating to port districts; amending section 2, chapter 69, Laws of 1957 as amended by section 1, chapter 9, Laws of 1969 ex. sess. and RCW 53.16.010; and adding a new chapter to Title 53 RCW.

To Committee on Local Government.

HOUSE BILL NO. 1242, by Representatives Gallagher, Hansey, Martinis, Erickson and Parker:

AN ACT Relating to fishing; adding new sections to chapter 75.12 RCW; repealing section 1, chapter 23, Laws of 1969 ex. sess. and RCW 75.12.650; and declaring an emergency.

To Committee on Natural Resources.

HOUSE BILL NO. 1243, by Representatives Erickson, Gaspard, Sommers, Ehlers, Nelson and Wilson:

AN ACT Relating to port districts; amending section 2, chapter 65, Laws of 1955 and RCW 53.08.010; amending section 11, chapter 65, Laws of 1955 as amended by section 56, chapter 195, Laws of 1973 1st ex. sess. and RCW 53.36.020; adding a new section to chapter 53.08 RCW; adding a new section to chapter 53.12 RCW; and adding a new section to chapter 53.35 RCW.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1244, by Representatives North (Lois), Bagnariol, Flanagan, Charnley, Eikenberry, Kishimoto and Nelson:

AN ACT Relating to property taxation; and amending section 84.40.160, chapter 15, Laws of 1961 and RCW 84.40.160.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1245, by Representatives Kuehnle, Morrison, Conner, King, Barnes, Honan and Hayner (by Washington Public Employees' and Law Enforcement and Firefighters' Retirement Board request):

AN ACT Relating to public employment; amending section 3, chapter 209, Laws of 1969 ex. sess. as last amended by section 1, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.030; amending section 3, chapter 257, Laws of 1971 ex. sess. and RCW 41.26.045; amending section 5, chapter 209, Laws of 1969 ex. sess. as last amended by section 4, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.050; amending section 11, chapter 209, Laws of 1969 ex. sess. as last amended by section 6, chapter 6,

Laws of 1970 ex. sess. and RCW 41.26.110; amending section 12, chapter 209, Laws of 1969 ex. sess. as last amended by section 8, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.120; amending section 14, chapter 209, Laws of 1969 ex. sess. as amended by section 9, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.140; amending section 17, chapter 209, Laws of 1969 ex. sess. as last amended by section 9, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.160; amending section 16, chapter 209, Laws of 1969 ex. sess. as last amended by section 13, chapter 257, Laws of 1971 ex. sess. and RCW 41.26.200; amending section 4, chapter 209, Laws of 1969 ex. sess. as last amended by section 44, chapter 195, Laws of 1973 1st ex. sess. and RCW 41.26.040; amending section 15, chapter 209, Laws of 1969 ex. sess. as last amended by section 10, chapter 257, Laws of 1971 ex. sess. and RCW 41.26.150; amending section 4, chapter 257, Laws of 1971 ex. sess. as amended by section 2, chapter 131, Laws of 1972 ex. sess. and RCW 41.26.046; amending section 24, chapter 209, Laws of 1969 ex. sess. as amended by section 16, chapter 6, Laws of 1970 ex. sess. and RCW 41.26.240; and declaring an emergency.

To Committee on Local Government.

HOUSE BILL NO. 1246, by Representative Kelley:

AN ACT Relating to controlled substances; amending section 69.50.401, chapter 308, Laws of 1971 ex. sess. as amended by section 1, chapter 2, Laws of 1973 2nd ex. sess. and RCW 69.50.401; adding a new section to chapter 308, Laws of 1971 ex. sess. and to chapter 69.50 RCW to be designated as 69.50.409; creating a new section; and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1247, by Representatives Kelley and Fortson:

AN ACT Relating to odometers; amending section 7, chapter 112, Laws of 1969 and RCW 46.37.590; and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1248, by Representatives Parker, Blair, Bagnariol, Cunningham, Savage, Erickson, Wilson, Schumaker, Bender, Fortson, Warnke, Kilbury, Goltz, Wojahn, Bauer, Haussler, May, Gaines, North (Frances), Valle, Bausch, Clemente, Kalich, Beck, Gallagher, King, Jastad, Moon and Van Dyk:

AN ACT Relating to insurance; adding a new chapter to Title 48 RCW; repealing section 19, chapter 241, Laws of 1969 ex. sess. and RCW 48.18.291; repealing section 20,

chapter 241, Laws of 1969 ex. sess., section 3, chapter 152, Laws of 1973 1st ex. sess. and RCW 48.18.292; repealing section 21, chapter 241, Laws of 1969 ex. sess. and RCW 48.18.293; repealing section 2, chapter 95, Laws of 1967 ex. sess., section 22, chapter 241, Laws of 1969 ex. sess. and RCW 48.18.295; repealing section 23, chapter 241, Laws of 1969 ex. sess. and RCW 48.18.296; repealing section 24, chapter 241, Laws of 1969 ex. sess. and RCW 48.18.297; and prescribing penalties.

To Committee on Financial Institutions.

HOUSE BILL NO. 1249, by Representative Kelley:

AN ACT Relating to controlled substances; amending section 69.50.401, chapter 308, Laws of 1971 ex. sess. as amended by section 1, chapter 2, Laws of 1973 2nd ex. sess. and RCW 69.50.401; creating a new section; and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1250, by Representatives Kopet, Luders, Pardini and King:

AN ACT Relating to Eastern Washington State College; and amending section 1, chapter 28, Laws of 1971 ex. sess. and RCW 28A.40.226.

To Committee on Higher Education.

HOUSE BILL NO. 1251, by Representatives Warnke, Bausch and Gaspard:

AN ACT Relating to colleges and universities; and amending section 28B.10.050, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.050.

To Committee on Higher Education.

HOUSE BILL NO. 1252, by Representatives Wojahn, Freeman and Smith:

AN ACT Relating to motor vehicles; adding a new section to chapter 46.08 RCW; prescribing penalties and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1253, by Representatives Warnke, Bausch, Gaspard and Erickson:

AN ACT Relating to colleges and universities; amending section 28B.10.050, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.050; and amending section 3, chapter 277, Laws of 1969 ex. sess. and RCW 28B.80.030.

To Committee on Higher Education.

HOUSE BILL NO. 1254, by Representatives Charette and Polk:

AN ACT Relating to revaluation of property; adding new sections to chapter 15, Laws of 1961 and to chapter 84.41 RCW; defining crimes; and prescribing penalties.

To Committee on Local Government.

HOUSE BILL NO. 1255, by Representatives Gallagher, Berentson and Hansen:

AN ACT Relating to motor vehicles; and amending section 46.44.040, chapter 12, Laws of 1961 as last amended by section 1, chapter 150, Laws of 1973 1st ex. sess. and RCW 46.44.040.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1256, by Representatives Maxie, Erickson, Kopet, Perry, Johnson, Hendricks, Cunningham, Paris, Ellis, Jastad, Savage, Clemente, Kelley, Fortson and Ceccarelli:

AN ACT Relating to social work; providing for licensing of social workers, creating a state board of social work examiners; adding a new chapter to Title 18 RCW; and prescribing penalties.

To Committee on Social and Health Services.

HOUSE BILL NO. 1257, by Representatives Eikenberry, Randall, Cunningham, Freeman, Hayner, Honan, Kishimoto, Matthews, Nelson and Pullen:

AN ACT Relating to property tax refunds; amending section 82.32.060, chapter 15, Laws of 1961 as last amended by section 17, chapter 299, Laws of 1971 ex. sess. and RCW 82.32.060; and amending section 84.69.100, chapter 15, Laws of 1961 as amended by section 4, chapter 5, Laws of 1973 2nd ex. sess. and RCW 84.69.100.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1258, by Representatives North (Lois), Knowles, Polk and Smith:

AN ACT Relating to judgments; and adding a new section to chapter 4.56 RCW.

To Committee on Judiciary.

HOUSE BILL NO. 1259, by Representatives Charette, Knowles and Clemente:

AN ACT Relating to the construction of statutes; amending section 1, chapter 162, Laws of 1955 as amended by section 1, chapter 240, Laws of 1969 ex. sess. and RCW 1.12.025; and declaring an emergency.

To Committee on State Government.

HOUSE BILL NO. 1260, by Representatives Ceccarelli, Kuehnle, Chatalas, Garrett and Gaspard:

AN ACT Relating to real estate brokers and salesmen; and amending section 13, chapter 222, Laws of 1951 as last amended by section 13, chapter 139, Laws of 1972 ex. sess. and RCW 18.85.150.

To Committee on Commerce.

HOUSE BILL NO. 1261, by Representatives Bagnariol and Kopet (by Office of Program Planning and Fiscal Management request):

AN ACT Relating to motor vehicle excise taxes; amending section 13, chapter 255, Laws of 1969 ex. sess. and RCW 35.58.278; amending section 82.44.070, chapter 15, Laws of 1961 as amended by section 5, chapter 139, Laws of 1969 and RCW 82.44.070; amending section 82.44.110, chapter 15, Laws of 1961 as amended by section 1, chapter 121, Laws of 1967 and RCW 82.44.110; amending section 82.44.120, chapter 15, Laws of 1961 as last amended by section 2, chapter 121, Laws of 1967 and RCW 82.44.120; amending section 1, chapter 87, Laws of 1972 ex. sess. and RCW 82.44.150; amending section 1, chapter 87, Laws of 1972 ex. sess. as amended by section 5, chapter 136, Laws of 1973 1st ex. sess. and RCW 82.44.150; amending section 82.44.160, chapter 15, Laws of 1961 as last amended by section 1, chapter 108, Laws of 1969 and RCW 82.44.160; amending section 82.48.080, chapter 15, Laws of 1961 as amended by section 5, chapter 9, Laws of 1967 ex. sess. and RCW 82.48.080; amending section 82.50.170, chapter 15, Laws of 1961 and RCW 82.50.170; creating new sections; prescribing effective dates; and declaring an emergency.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1262, by Representatives Curtis, Haussler, Tilly, Morrison, Brown, Charette, Williams, Kraabel, Hayner, Pullen, Rabel, Matthews, Eikenberry, Benitz, Cunningham, Freeman and Kishimoto:

AN ACT Relating to the administrative procedure act; and amending section 1, chapter 186, Laws of 1963 and RCW 34.04.160.

To Committee on State Government.

HOUSE BILL NO. 1263, by Representatives Valle, Nelson, Thompson and Erickson:

AN ACT Relating to occupational therapy; adding a new section to chapter 48.01 RCW; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; and adding a new section to chapter 48.44 RCW.

To Committee on Financial Institutions.

HOUSE BILL NO. 1264, by Representatives Kraabel, Pullen, Blair, King and Freeman:

AN ACT Relating to elections; adding a new section to chapter 9, Laws of 1965 and to chapter 29.04 RCW; and providing penalties.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1265, by Representatives Randall, Eikenberry, Goltz, Eng and Erickson:

AN ACT Relating to intoxicating liquor; amending section 4, chapter 62, Laws of 1933 ex. sess. as last amended by section 10, chapter 172, Laws of 1939 and RCW 66.16.010; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 1, chapter 204, Laws of 1973 1st ex. sess. and RCW 82.08.150; amending section 82.08.160, chapter 15, Laws of 1961 as amended by section 12, chapter 21, Laws of 1969 ex. sess. and RCW 82.08.160; repealing section 23-S-5 added to chapter 62, Laws of 1933 ex. sess. by section 5, chapter 5, Laws of 1949 and RCW 66.24.440; declaring an emergency; and making an effective date.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1266, by Representatives Kopet, Jastad and Hendricks:

AN ACT Relating to special immunities; amending section 1, chapter 157, Laws of 1969 ex. sess. and RCW 4.24.240; amending section 1, chapter 144, Laws of 1971 ex. sess.

and RCW 4.24.250; and amending section 2, chapter 144, Laws of 1971 ex. sess. and RCW 4.24.260.

To Committee on Social and Health Services.

HOUSE BILL NO. 1267, by Representatives King, Brown and Parker:

AN ACT Relating to elections; adding a new section to chapter 9, Laws of 1965 and to chapter 29.07 RCW; and providing penalties.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1268, by Representatives Randall, Hoggins, Ehlers, Luders and Curtis:

AN ACT Relating to fire protection agencies; amending section 1, chapter 139, Laws of 1941 as amended by section 1, chapter 64, Laws of 1973 1st ex. sess. and RCW 52.36.020; and making an effective date.

To Committee on Ways and Means - Revenue.

HOUSE JOINT RESOLUTION NO. 42, by Representatives King, Eikenberry, Gaines and Hurley:

Restricting the Governor's item veto power to appropriations only.

To Committee on Constitution and Elections.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 143, by Senators Bailey and Mardesich:

Establishing cut-off dates.

#### MOTION

Mr. Thompson moved that all bills on the agenda under fourth order of business be referred to the committees specified with the exception of House Bill No. 1261, to be referred to Committee on Ways and Means - Appropriations.

The motion was carried.

#### MOTIONS

On motion of Mr. Charette, the rules were suspended and Engrossed Senate Concurrent Resolution No. 143 was advanced to second reading, and read the second time.

Mr. Newhouse moved adoption of the following amendment: On page 2, line 13 insert the following:

"BE IT FURTHER RESOLVED, That on or before the thirtieth day of this session, February 13, 1974, the legislature shall adjourn sine die."

Mr. Newhouse spoke in favor of the amendment, and Mr. Charette spoke against it.

Mr. Pardini demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Newhouse to Engrossed Senate Concurrent Resolution No. 143 and the amendment was not adopted by the following vote: Yeas, 40; nays, 55; not voting, 3.

Voting yea: Representatives Amen, Benitz, Berentson, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Jueling, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Bluechel, Julin, Williams.

#### MOTION

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Engrossed Senate Concurrent Resolution No. 143 was placed on final passage.

Engrossed Senate Concurrent Resolution No. 143 was adopted.

#### REPORTS OF STANDING COMMITTEES

January 16, 1974  
ENGROSSED HOUSE BILL NO. 150, Prime sponsor: Representative Haussler, raising mileage allowance for county officers, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 5, after "are each" strike the remainder of the section and insert "repealed."

In line 1 of the title, after "and" strike "amending" and insert "repealing"



Signed by Representatives Haussler, Chairman; Douthwaite, Vice Chairman; Johnson, Kalich, Amen, Blair, Kuehne, Laughlin, McCormick, Nelson, North (Frances), Paris, Patterson, Sommers, Zimmerman.

January 15, 1974

HOUSE BILL NO. 637, Prime sponsor: Representative Charette, enacting the forest practices act of 1974, reported by Committee on Natural Resources.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Flanagan, Gilleland, Hansen, Hansey, Haussler, Kilbury, Kishimoto.

MINORITY recommendation: That the second substitute bill do not pass. Signed by Representative Conner.

January 15, 1974

HOUSE BILL NO. 670, Prime sponsor: Representative Nelson, pertaining to local sales taxes adopted to finance local public transportation systems, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

Strike all material after the enacting clause and insert the following:

"Section 1. Section 2, chapter 296, Laws of 1971 ex. sess. and RCW 82.14.045 are each amended to read as follows:

The (( governing body upon written request by the mayor or other executive officer of any city within a class AA county; a class AA county or any metropolitan municipal corporation within a class AA county )) legislative body of any city, town, county, or metropolitan municipal corporation, while not required by legislative mandate to do so, may, by resolution or ordinance for the sole purpose of providing funds for the operation, maintenance, or capital needs of public transportation systems and in lieu of the excise taxes authorized by RCW 35.95.040, as now or hereafter amended, submit an authorizing proposition to the voters or include such authorization in a proposition to perform the function of metropolitan public transportation pursuant to chapter 35.58 RCW and if approved by a majority of persons voting thereon, fix and impose a sales and use tax in accordance with the terms of this chapter to be effective on or after July 1, 1972 ( (: PROVIDED; That during the fiscal year ending June 30, 1973, no more than three million dollars of the sales and use tax levied and collected pursuant to this 1971 amendatory act may be used as qualifying matching funds to authorize a levy of motor vehicle excise taxes during such fiscal year pursuant to chapter 255, 1st ex. sess., Laws of 1969 )). Such tax shall be in addition to the tax authorized by RCW 82.14.030 and shall be collected from those persons who are taxable by the state pursuant to chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within such city, town,

county, or metropolitan municipal corporation as the case may be. The rate of such tax imposed by such city, town, county, or metropolitan municipal corporation shall be three-tenths of one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax): PROVIDED, HOWEVER, That in the event a metropolitan municipal corporation shall impose a sales and use tax pursuant to this chapter no city or county wholly or partly within such metropolitan municipal corporation shall impose a sales and use tax pursuant to this chapter but nothing herein shall prevent such city or county from imposing sales and use taxes pursuant to any other authorization: PROVIDED FURTHER, That in the event a metropolitan municipal corporation or county shall impose a sales and use tax pursuant to this (( 1974 amendatory act )) section , no city within such county or wholly or partly within such metropolitan municipal corporation shall impose an excise tax pursuant to RCW 35.95.040.

NEW SECTION. Sec. 2. This 1974 amendatory act shall take effect July 1, 1974."

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Bender, Ceccarelli, Clemente, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Nelson, Patterson.

January 16, 1974

HOUSE BILL NO. 1213, Prime sponsor: Representative King, supplementing laws relating to charter amendments in cities of 300,000 population or over, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, immediately following section 3 add a new section as follows:

" NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 3 of the title after "35.22 RCW" and before the period, insert "; and declaring an emergency"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Brown, Conner, Eng, Erickson, Hayner, Knowles, Maxie, Rabel.

#### MOTION

On motion of Mr. Thompson, the standing committee reports listed on today's fifth order of business were passed to Committee on Rules for second reading.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

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

## THIRD READING

ENGROSSED HOUSE BILL NO. 87, by Representatives Thompson, Curtis, Chatalas and Matthews (by Legislative Budget Committee request):

Eliminating motor vehicle fuel tax refunds presently available for watercraft in this state.

## MOTION

On motion of Mr. Thompson, the rules were suspended and Engrossed House Bill No. 87 was returned to second reading for the purpose of amendment.

On motion of Mr. Thompson, the following amendment was adopted:

On page 10, section 12, line 31 strike "1974" and insert "1975"

Mr. Hansey moved adoption of the following amendment:

On page 10, line 12 insert a new section to read as follows:

"Sec. 11. Section 84.36.090, chapter 15, Laws of 1961 and RCW 84.36.090 are each amended to read as follows:

All ships and vessels taxable in the state, other than those taxable under RCW 84.36.080 and those described in RCW 84.36.079, are exempt from all ad valorem taxes, except taxes levied for any state purpose and twenty percent of taxes levied for all other purposes; PROVIDED, That watercraft as defined in RCW 82.36.010, of this 1974 amendatory act, shall be exempt from ad valorem taxes whenever motor vehicle fuel taxes, which are not subject to refund, have been collected on the motor vehicle fuel used in such watercraft."

Renumber the remaining sections consecutively

Mr. Hansey spoke in favor of the amendment, and Mr. Thompson spoke against it.

The amendment was not adopted.

Engrossed House Bill No. 87 was ordered reengrossed.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Reengrossed House Bill No. 87 was placed on final passage.

Mr. Thompson spoke in favor of the bill and Mr. Hansey spoke against it.

Mr. Thompson spoke again in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 87, and the bill passed the House by the following vote: Yeas, 62; nays, 30; not voting, 6.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bender, Benitz, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Luders, Matthews, McCormick, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Bausch, Beck, Berentson, Blair, Ceccarelli, Cunningham, Eikenberry, Freeman, Gilleland, Hansey, Hendricks, Juelling, Kelley, Kuehne, Leckenby, Martinis, Maxie, May, Moon, Nelson, Polk, Pullen, Rabel, Schumaker, Tilly, Van Dyk, Warnke.

Not voting: Representatives Bluechel, Julin, Lysen, Paris, Williams, and Mr. Speaker.

Reengrossed House Bill No. 87, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## EXPLANATION OF VOTE

Due to an inadvertant error I voted "yea" on final passage of Reengrossed House Bill No. 87 today. On two prior occasions I had voted "no" on this legislation.

RICK SMITH, 23rd District.

ENGROSSED HOUSE BILL NO. 139, by Representatives Newhouse, Moon and Williams (by Legislative Council request):

Taxing telegraph company property as real property and apportioning the revenues amongst the taxing districts on the basis of the situs of the equipment.

Engrossed House Bill No. 139 was read the third time and placed on final passage.

Mr. Newhouse spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 139, and the bill passed the House by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry,

Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bagnariol, Bausch, Lysen, Warnke.

Not voting: Representatives Bluechel, Julin, Nelson, Williams, and Mr. Speaker.

Engrossed House Bill No. 139, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 515, by Representatives Martinis, Johnson and Juelling:

Pertaining to public work contracts in first class cities.

Engrossed House Bill No. 515 was read the third time and placed on final passage.

Mr. Douthwaite spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Douthwaite, the question has come up in our caucus--perhaps two questions: In the wording of this bill I notice entirely new sections. Is there no requirement for first class cities at any point now that they must put this type of thing up for bid? The second question is relative to the level, the \$10,000 level. I notice, for instance, in other bills that the counties are now at a \$25,000 level and they are asking for \$50,000. Would not this \$10,000 level be somewhat too low; would there not be projects that they could better do with their own staffs at a somewhat higher level than \$10,000?"

Mr. Douthwaite: "Yes, Representative Newhouse, that question, your second question, is the one of course, which the city engineers generally put to us when they object to this higher threshold. They want to lock in more of the business for their own construction people within the city employment. On the other hand, the private contractors argue that they can compete for this business and can do an equal if not better job and therefore they should have the opportunity to compete. Dealing with your first question, whether or not the law presently allows for contractors to enter into this competition, I have forgotten what the

threshold is, but it's a lower amount. I'll yield to Representative Haussler at this point."

Mr. Haussler: "Mr. Speaker, ladies and gentlemen of the House: At the present time, there are no restrictions on first class cities whatsoever."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 515, and the bill passed the House by the following vote: Yeas, 89; nays, 6; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinoch, Smith, Smythe, Swayze, Thompson, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Beck, Flanagan, Lysen, Schumaker, Sommers, Tilly.

Not voting: Representatives Bluechel, Julin, Williams.

Engrossed House Bill No. 515, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 530, by Committee on Agriculture (Originally sponsored by Representatives Van Dyk, Benitz, Kilbury, Amen and Bauer):

Changing the laws relating to commission merchants.

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

Mr. Van Dyk spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 530, and the bill passed the House by the following vote: Yeas, 86; nays, 9; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley,

Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cunningham, Curtis, Eikenberry, Ellis, Garrett, Hendricks, Kopet, Kraabel, Tilly.

Not voting: Representatives Bluechel, Julin, Williams.

Substitute House Bill No. 530, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 566, by Representatives Ceccarelli, Barden and Chatalas:

Requiring savings and loan associations to pay for the cost of state supervision.

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

Mr. Ceccarelli spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 566, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bluechel, Julin, Williams.

House Bill No. 566, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 569, by Committee on Ecology (Originally sponsored by Representatives Wojahn, Valle, Blair, Nelson and Paris):

Providing for the abatement and control of noise.

Engrossed Substitute House Bill No. 569 was read the third time and placed on final passage.

Representative Luders spoke in favor of the bill.

#### MOTION

Mrs. Hayner moved to rerefer Engrossed Substitute House Bill No. 569 to the Committee on Ecology.

Representatives Leckenby and Hayner spoke in favor of the motion, and Representatives Wojahn, Luders, Kraabel and Zimmerman spoke against it.

Mrs. Hayner spoke again in favor of the motion to rerefer Engrossed Substitute House Bill No. 569 to the Committee on Ecology.

The motion was lost.

#### MOTION

Mr. Hansey moved that the rules be suspended and Engrossed Substitute House Bill No. 569 be returned to second reading for the purpose of amendment.

The motion was lost.

Representative Bluechel appeared at the bar of the House.

The Speaker (Mr. O'Brien presiding) declared the question before the House to be final passage of Engrossed Substitute House Bill No. 569.

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Pullen.

Mr. Pullen: "Mr. Kuehnle, Representative Wojahn said that if we did not act in the area of noise control the federal government may soon move in and preempt our right to do so. Would it be constitutional in the light of Article I, section 8 of the United States Constitution and the 10th Amendment of the United States Constitution for



the federal government to preempt the state in the area of noise control?"

Mr. Kuehnle: "As I interpret the Constitution, the 10th Amendment reserves to the states all powers not otherwise delegated and Article I, section 8 delegates such powers to the federal government as are enumerated there and nowhere in the enumeration does it say anything about dealing with such an area as this. So I think, technically speaking, your inference is correct; however as a practical matter, of course, we see the federal government dabbling day after day in areas in which, in my opinion, they should not be dabbling, and taking actions which, in my opinion, should be reserved to the state."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 569, and the bill passed the House by the following vote: Yeas, 84; nays, 12; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Benitz, Conner, Flanagan, Garrett, Gilleland, Hayner, Kopet, Kuehnle, Schumaker, Wilson, Zimmerman.

Not voting: Representatives Julin, Williams.

Engrossed Substitute House Bill No. 569, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I voted against the noise abatement bill for these reasons:

1. The measure asks appropriation of \$150,000 for administration by the Department of Ecology.
2. The fiscal note attached to the bill indicates costs would amount to over \$350,000 for six years' impact.
3. The Department of Ecology is extremely busy with its wide range of activities, and I question it is in a position to tackle this additional burden right now.

4. The issue, while discussed in the Ecology Committee, was not resolved to full satisfaction of all interested persons, and deserves more input from the people who ultimately will be affected by this far-reaching and vital future legislation.

HAROLD S. ZIMMERMAN, 17th District.

#### MOTIONS

Mr. Thompson moved that all bills remaining on today's third reading calendar be deferred until tomorrow's third reading calendar.

On motion of Mr. Thompson, HOUSE JOINT RESOLUTION NO. 31 was rereferred from the Committee on Rules to the Committee on Constitution and Elections, and SUBSTITUTE HOUSE BILL NO. 14 was rereferred from the Committee on Rules to the Committee on Social and Health Services.

On motion of Mr. Thompson, the following committee bills were returned from the Committee on Rules to the designated committees: HOUSE BILL NO. 1170 to the Committee on Social and Health Services, HOUSE BILL NO. 1171 to the Committee on Education, HOUSE BILL NO. 1176, HOUSE BILL NO. 1201, HOUSE BILL NO. 1202, HOUSE BILL NO. 1203 to the Committee on Social and Health Services and HOUSE BILL NO. 1226 to the Committee on Transportation and Utilities.

On motion of Mr. Thompson, HOUSE BILL NO. 223, HOUSE BILL NO. 461 and HOUSE BILL NO. 646 were rereferred from the Committee on Higher Education to the Committee on Labor.

On motion of Mr. Thompson, HOUSE BILL NO. 1237 was referred to the Committee on Local Government.

On motion of Mr. Thompson, ENGROSSED HOUSE BILL NO. 649 was referred to the Committee on Rules from the third reading calendar.

#### MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Friday, January 18, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 18, 1974.

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Julin and Rabel, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Howard Perry of St. John's Episcopal Church of Olympia.

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

## MESSAGE FROM THE SENATE

January 17, 1974

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 143,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1269, by Representatives Conner and Savage:

AN ACT Relating to the superior courts; and amending section 6, chapter 125, Laws of 1951 as last amended by section 3, chapter 83, Laws of 1971 ex. sess. and RCW 2.08.064.

To Committee on Judiciary.

HOUSE BILL NO. 1270, by Representatives Wojahn and Gaines:

AN ACT Relating to gambling.

To Committee on Commerce.

HOUSE BILL NO. 1271, by Representatives Warnke and Bausch:

AN ACT Relating to the administration of medication in the public schools.

To Committee on Education.

HOUSE BILL NO. 1272, by Representatives Valle, Pardini, Ceccarelli, Polk, Kelley, Van Dyk and Matthews:

AN ACT Relating to insurance; adding a new section to chapter 48.20 RCW; and adding a new section to chapter 48.21 RCW.

To Committee on Financial Institutions.

HOUSE BILL NO. 1273, by Representatives Curtis, Haussler, Knowles, Gaines and Wilson:

AN ACT Relating to fire commissioners; and amending section 26, chapter 34, Laws of 1939 as amended by section 1, chapter 153, Laws of 1971 ex. sess. and RCW 52.12.050.

To Committee on Local Government.

HOUSE BILL NO. 1274, by Representatives Bagnariol, Morrison, Warnke, Thompson, Ceccarelli, Cunningham, Gaines and Kraebel (by State Teachers' Retirement System request):

AN ACT Relating to the Washington state teachers' retirement system; amending section 1, chapter 80, Laws of 1947 as last amended by section 95, chapter 176, Laws of 1969 ex. sess. and RCW 41.32.010; amending section 26, chapter 80, Laws of 1947 as last amended by section 1, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.260; amending section 31, chapter 80, Laws of 1947 as last amended by section 2, chapter 32, Laws of 1973 2nd ex. sess. and RCW 41.32.310; amending section 16, chapter 14, Laws of 1963 ex. sess. as last amended by section 2, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.497; amending section 3, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.498; amending section 9, chapter 189, Laws of 1973 1st ex. sess. as amended by section 1, chapter 32, Laws of 1973 2nd ex. sess. and RCW 41.32.499; amending section 50, chapter 80, Laws of 1947 as last amended by section 16, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.500; amending section 52, chapter 80, Laws of 1947 as last amended by section 4, chapter 32, Laws of 1973 2nd ex. sess. and RCW 41.32.520; amending section 20, chapter 14, Laws of 1963 ex. sess. as last amended by section 18, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.522; amending section 21, chapter 14, Laws of 1963 ex. sess. as last amended by section 19, chapter 150, Laws of 1969 ex. sess. and RCW 41.32.523; amending section 54, chapter

80, Laws of 1947 as last amended by section 18, chapter 14, Laws of 1963 ex. sess. and RCW 41.32.540; adding a new section to chapter 41.32 RCW; creating new sections; and declaring an emergency.

To Committee on Education.

HOUSE BILL NO. 1275, by Representatives Gaspard, May, Bagnariol, Gaines and Kilbury:

AN ACT Relating to meal periods for certain railroad employees; adding new section to chapter 81.40 RCW; and providing penalties.

To Committee on Labor.

HOUSE BILL NO. 1276, by Representatives Charette, Eikenberry and Kelley (by Attorney General request):

AN ACT Relating to unfair business practices; and amending section 17, chapter 216, Laws of 1961 as amended by section 1, chapter 147, Laws of 1967 and RCW 19.86.170.

To Committee on Commerce.

HOUSE BILL NO. 1277, by Representatives Ellis and Clemente:

AN ACT Relating to education; and amending section 2, chapter 283, Laws of 1969 ex. sess. and RCW 28A.67.074.

To Committee on Education.

HOUSE BILL NO. 1278, by Representatives Perry, Kraabel, Charnley, Rabel and Van Dyk:

AN ACT Relating to the purchase of automobiles by governmental agencies; and creating a new chapter in Title 39 RCW.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1279, by Representatives Douthwaite, Blair, Chatalas, Kraabel and Nelson:

AN ACT Relating to engineers and land surveyors; and amending section 11, chapter 283, Laws of 1947 as last amended by section 1, chapter 126, Laws of 1965 ex. sess. and RCW 18.43.080.

To Committee on Commerce.

HOUSE BILL NO. 1280, by Representatives Douthwaite, Van Dyk, King, Charnley, Bausch, Patterson, Rabel, Tilly and Wilson:

AN ACT Relating to hitchhiking; amending section 38, chapter 155, Laws of 1965 ex. sess. as amended by section 1, chapter 38, Laws of 1972 ex. sess. and RCW 46.61.255; and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1281, by Representatives Luders, Ceccarelli, Knowles, Warnke, Hansen and Bauer:

AN ACT Relating to health care services contracts; adding a new section to chapter 48.44 RCW; and declaring an emergency.

To Committee on Financial Institutions.

HOUSE BILL NO. 1282, by Representatives Bauer, Brown and Perry (by Superintendent of Public Instruction request):

AN ACT Relating to state government; providing for the transfer of certain powers, duties and functions of the superintendent of public instruction or the state board of education and certain school districts; establishing certain purposes hereof as within the scope of state reimbursement to school districts for transportation; providing for the transfer of certain moneys heretofore appropriated for certain specific purposes; amending sections 1 and 4, chapter 240, Laws of 1947 and RCW 70.82.010 and 70.82.040; declaring an emergency and making certain effective dates.

To Committee on Education.

HOUSE BILL NO. 1283, by Representatives Laughlin, Bauer, Zimmerman, Paris, Thompson, Kilbury, Tilly, Kishimoto, Haussler, Patterson and Luders:

AN ACT Relating to anadromous fish; providing for a compact between the states of Washington, Oregon and Idaho relative to anadromous fish in the waters of the Columbia and Snake Rivers and providing for the ratification thereof; repealing section 75.40.010, chapter 12, Laws of 1955 and RCW 75.40.010; repealing section 75.40.020, chapter 12, Laws of 1955 and RCW 75.40.020; and repealing the compact now existing between Oregon and Washington relating to fish in the concurrent waters of the Columbia River.

To Committee on Natural Resources.

HOUSE BILL NO. 1284, by Representatives North (Lois), Williams, Pardini, Kraabel and Leckenby:

AN ACT Relating to revenue and taxation; amending section 4, chapter 288, Laws of 1971 ex. sess. as last amended by section 1, chapter 98, Laws of 1973 1st ex. sess. and RCW 84.36.370; and making an effective date.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1285, by Representative Randall:

AN ACT Relating to revenue and taxation.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1286, by Representative Randall:

AN ACT Relating to revenue and taxation.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1287, by Representative Randall:

AN ACT Relating to revenue and taxation.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1288, by Representative Randall:

AN ACT Relating to revenue and taxation.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1289, by Representative Randall:

AN ACT Relating to revenue and taxation.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1290, by Representatives Hansey, Berentson and Hansen:

AN ACT Relating to motor vehicle speed restrictions; amending section 2, chapter 16, Laws of 1963 as last amended by section 2, chapter 100, Laws of 1970 ex. sess. and RCW 46.61.405; and declaring an emergency.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1291, by Representatives Valle, Matthews, Johnson, Adams and Ellis:

AN ACT Relating to health; providing for the licensing of speech pathologists and audiologists; adding a new chapter to Title 18 RCW; and providing penalties.

To Committee on Social and Health Services.

HOUSE BILL NO. 1292, by Representatives Kopet and Charette (by State Treasurer and Office of Program Planning and Fiscal Management request):

AN ACT Relating to veterans; and amending section 1, chapter 41, Laws of 1973 and RCW 73.32.130.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1293, by Representatives Perry, Kraabel and Charnley:

AN ACT Relating to the conservation of energy resources; and adding new sections to chapter 43.22 RCW.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1294, by Representatives Bauer and Hoggins (by Superintendent of Public Instruction request):

AN ACT Relating to education; amending section 28A.70.140, chapter 223, Laws of 1969 ex. sess. as amended by section 145, chapter 176, Laws of 1969 ex. sess. and RCW 28A.70.140; amending section 28A.70.160, chapter 223, Laws of 1969 ex. sess. as amended by section 51, chapter 48, Laws of 1971 and RCW 28A.70.160; and declaring an emergency.

To Committee on Education.

HOUSE BILL NO. 1295, by Representatives Perry, Kraabel, Charnley, Kishimoto, Rabel, Ceccarelli and Van Dyk:

AN ACT Relating to bicycle routes; amending section 36.75.240, chapter 4, Laws of 1963 and RCW 36.75.240; adding new sections to chapter 83, Laws of 1967 ex. sess. and to chapter 47.26 RCW; adding a new section to chapter 4, Laws of 1963 and to chapter 36.81 RCW; adding a new section to chapter 4, Laws of 1963 and to chapter 36.82 RCW; adding a new section to chapter 7, Laws of 1965 and to chapter 35.75 RCW; adding a new section to chapter 7, Laws of 1965 and to chapter 35.77 RCW; making an appropriation; and declaring an emergency.

To Committee on Transportation and Utilities.



HOUSE BILL NO. 1296, by Representatives Warnke, O'Brien and Hayner (by Superintendent of Public Instruction request):

AN ACT Relating to education; amending section 28A.04.120, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 215, Laws of 1971 ex. sess. and RCW 28A.04.120; amending sections 4, 5, 6 and 7, chapter 215, Laws of 1971 ex. sess. and RCW 28A.02.210, 28A.02.220, 28A.02.230 and 28A.02.240; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.02 RCW; creating new sections; repealing section 3, chapter 215, Laws of 1971 ex. sess. and RCW 28A.02.200; and declaring an emergency.

To Committee on Education.

HOUSE BILL NO. 1297, by Representatives Martinis, Hansey, Thompson, Kalich and Luders:

AN ACT Relating to the powers and duties of the state game commission; adding a new section to chapter 77.12 RCW; and defining crimes.

To Committee on Natural Resources.

HOUSE BILL NO. 1298, by Representatives Charette, Morrison and King:

AN ACT Relating to education; providing for an educational employment relations act; amending section 1, chapter 105, Laws of 1973 1st ex. sess. and RCW 28A.01.130; amending section 22, chapter 34, Laws of 1969 ex. sess. and RCW 28A.67.065; repealing section 28A.72.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.010; repealing section 28A.72.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.020; repealing section 28A.72.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.030; repealing section 28A.72.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.050; repealing section 28A.72.060, chapter 223, Laws of 1969 ex. sess., section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060; repealing section 28A.72.070, chapter 223, Laws of 1969 ex. sess., section 4, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.070; repealing section 28A.72.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.080; repealing section 28A.72.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.090; repealing section 1, chapter 115, Laws of 1973 1st ex. sess. and RCW 28A.72.100; repealing section 1, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.010; repealing section 2, chapter 196, Laws of 1971 ex. sess., section 1, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.020; repealing section 3, chapter 196, Laws of 1971 ex. sess., section 2, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.030; repealing section 4, chapter 196, Laws of 1971 ex.

sess. and RCW 28B.52.050; repealing section 5, chapter 196, Laws of 1971 ex. sess., section 3, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.060; repealing section 6, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.070; repealing section 7, chapter 196, Laws of 1971 ex. sess., section 5, chapter 205, Laws of 1973, 1st ex. sess. and RCW 28B.52.080; repealing section 8, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.090; repealing section 9, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.100; repealing section 4, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.035; repealing section 6, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.200; and establishing an effective date.

To Committee on Labor.

HOUSE BILL NO. 1299, by Representatives Gaspard, Pardini, Ehlers, Luders and Gaines:

AN ACT Relating to camping clubs; amending section 1, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.010; amending section 6, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.060; amending section 12, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.120; amending section 13, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.130; amending section 14, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.140; and adding new sections to chapter 106, Laws of 1972 ex. sess. and to chapter 19.105 RCW.

To Committee on Financial Institutions.

HOUSE BILL NO. 1300, by Representatives Conner, Tilly, Beck, Ellis, Bauer, Ceccarelli, Gaines and Hendricks (by Superintendent of Public Instruction request):

AN ACT Relating to school holidays; amending section 13, chapter 283, Laws of 1969 ex. sess. as amended by section 1, chapter 32, Laws of 1973 and RCW 28A.02.061; amending section 12, chapter 15, Laws of 1970 ex. sess. and RCW 28A.02.070; and declaring an emergency.

To Committee on Education.

HOUSE BILL NO. 1301, by Representatives Parker, Bagnariol, Curtis, Randall, Freeman, Adams, Fortson, Hansen, Ceccarelli, Hendricks, Matthews, Pullen, Van Dyk, Beck and Gaines:

AN ACT Relating to property taxes on business inventories; adding new sections to chapter 15, Laws of 1961 and to chapter 84.40 RCW; creating a new section; and declaring an emergency.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1302, by Representatives Ceccarelli, Pardini and Gaspard:

AN ACT Relating to industrial development corporations; amending section 2, chapter 162, Laws of 1963 and RCW 31.24.020; amending section 5, chapter 162, Laws of 1963 as amended by section 1, chapter 90, Laws of 1973 1st ex. sess. and RCW 31.24.050; amending section 9, chapter 162, Laws of 1963 and RCW 31.24.090; and declaring an emergency.

To Committee on Financial Institutions.

HOUSE BILL NO. 1303, by Representatives Gaspard, Pardini and Ceccarelli:

AN ACT Relating to securities regulation; amending section 4, chapter 282, Laws of 1959 and RCW 21.20.040; amending section 7, chapter 282, Laws of 1959 and RCW 21.20.070; amending section 10, chapter 37, Laws of 1961 and RCW 21.20.135; amending section 23, chapter 282, Laws of 1959 as amended by section 6, chapter 37, Laws of 1961 and RCW 21.20.230; amending section 26, chapter 282, Laws of 1959 and RCW 21.20.260; amending section 32, chapter 282, Laws of 1959 as last amended by section 1, chapter 79, Laws of 1972 ex. sess. and RCW 21.20.320; amending section 3, chapter 199, Laws of 1967 and RCW 21.20.325; amending section 34, chapter 282, Laws of 1959 as last amended by section 4, chapter 17, Laws of 1965 and RCW 21.20.340; amending section 38, chapter 282, Laws of 1959 and RCW 21.20.380; amending section 39, chapter 282, Laws of 1959 and RCW 21.20.390; amending section 43, chapter 282, Laws of 1959 as amended by section 2, chapter 199, Laws of 1967 and RCW 21.20.430; adding new sections to chapter 282, Laws of 1959 and to chapter 21.20 RCW; and making an effective date.

To Committee on Financial Institutions.

HOUSE BILL NO. 1304, by Representatives Douthwaite, Van Dyk, Lysen and Charnley:

AN ACT Relating to automobiles; and creating a new chapter in Title 39 RCW.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1305, by Representatives North (Frances), Paris and Bender:

AN ACT Relating to education; providing for remuneration for supervising teachers in student teacher training programs; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

To Committee on Education.

HOUSE BILL NO. 1306, by Representatives Warnke and Bauer:  
AN ACT Relating to health insurance for school personnel.

To Committee on Financial Institutions.

HOUSE BILL NO. 1307, by Representative Warnke:  
AN ACT Relating to collective bargaining.

To Committee on Labor.

HOUSE JOINT RESOLUTION NO. 43, by Representatives King,  
Eikenberry and Gaines:

Amending the Constitution in regard to the veto of  
legislative acts.

To Committee on Constitution and Elections.

HOUSE JOINT RESOLUTION NO. 44, by Representative Warnke:

Amending the Constitution.

To Committee on Constitution and Elections.

#### MOTION

On motion of Mr. Thompson, all bills listed on today's  
agenda under the fourth order of business were referred to  
the committees designated.

#### REPORTS OF STANDING COMMITTEES

January 16, 1974  
HOUSE BILL NO. 94, Prime sponsor: Representative Beck,  
providing veterans with certain public employment  
preferences, reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be  
substituted therefor and the substitute bill do pass.

Signed by Representatives Williams, Chairman; Bender,  
Vice Chairman; Bauer, Cunningham, Ehlers, Gaines,  
Hendricks, Lysen, Moon, Polk.

January 15, 1974  
HOUSE BILL NO. 101, Prime sponsor: Representative  
Warnke, authorizing payment of unused sick leave, reported  
by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Bender, Brown, Clemente, Ehlers, Hendricks, Hoggins, Johnson, Warnke.

January 16, 1974

HOUSE BILL NO. 717, Prime sponsor: Representative Polk, relating to compensation of the organized militia, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, at the beginning of line 12 strike "either."

On page 1, section 1, beginning on line 14 after "army" strike all material down to and including "compensation" on line 16

On page 1, section 1, line 17 after "expenses" insert "PROVIDED, FURTHER, That for periods of active state service other than for annual field training, commissioned officers, warrant officers and enlisted men of the organized militia of Washington shall receive either such pay and allowances or twenty-five dollars per day, whichever is greater."

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Cunningham, Curtis, Ehlers, Gaines, Hendricks, Lysen, Moon, Polk.

January 16, 1974

HOUSE BILL NO. 767, Prime sponsor: Representative Polk, eliminating seniority as a basis for promotion in the state military, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 25 strike "39.12.070" and insert "38.12.070"

On page 2, section 4, line 14 after "assistant" insert "adjutant"

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Cunningham, Curtis, Ehlers, Gaines, Hendricks, Lysen, Moon, Polk.

January 15, 1974

HOUSE BILL NO. 1063, Prime sponsor: Representative Douthwaite, making certain changes in the administration of metropolitan public transportation facilities, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Ceccarelli, Clemente, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Lysen.

January 16, 1974

HOUSE BILL NO. 1144, Prime sponsor: Representative Ceccarelli, providing for health care of newborn infants, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 7 after "providing" insert "hospital and medical expenses and"

On page 1, section 1, line 9 change "1973" to "1974"

On page 1, section 1, line 10 after "coverage for" strike "newborn"

On page 1, section 1, line 11 after "coverage for" strike "such newborn infants" and insert "newborn infants of the insured"

On page 1, section 2, line 18 after "providing" insert "hospital and medical expenses and"

On page 1, section 2, line 20 change "1973" to "1974"

On page 2, section 3, beginning on line 2 strike all the material down to and including "the covered group" on line 7 and insert "Any health care service plan contract under this chapter delivered or issued for delivery in this state more than thirty days after the effective date of this 1974 act, which provides coverage for dependent children of the insured or covered group member, shall provide coverage for newborn infants of the insured or covered group member"

On page 2, section 4, line 11 change "1973" to "1974"

Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Blair, Chatalas, Eikenberry, Matthews, Moon, Pardini, Parker, Van Dyk.

January 17, 1974

HOUSE BILL NO. 1171, Endorsed by: Representative Bauer, setting out policy for the administration of urban, rural, racial and disadvantaged education programs, reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 8 after "programs." strike the remainder of the section.

Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hayner, Hendricks, Hoggins, Johnson, Kishimoto, Lysen, Tilly, Warnke.

## MOTION

On motion of Mr. Thompson, all standing committee reports listed on today's fifth order of business were referred to the Committee on Rules for second reading.

## MOTION

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

## THIRD READING

ENGROSSED HOUSE BILL NO. 607, by Representatives Gallagher, McCormick, Knowles and Gaines:

Regulating tow trucks.

## MOTION

On motion of Mr. Gallagher, the rules were suspended and Engrossed House Bill No. 607 was returned to second reading for the purpose of amendment.

## SECOND READING

The bill was read the second time.

On motion of Mrs. Wojahn, the following amendment was adopted:

On page 11, section 28, line 20 strike "1973" and insert "1974"

## MOTION

On motion of Mr. Thompson, further consideration of Engrossed House Bill No. 607 was deferred, and the bill was ordered placed after House Bill No. 946 on today's calendar.

## MOTION

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

## THIRD READING

ENGROSSED HOUSE BILL NO. 636, by Representative Smith:

Allowing the department of fisheries to supply surplus salmon eggs for use in fish farming or aquaculture for any length of time.

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

Mr. Smith spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 636, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bausch, Julin, Rabel.

Engrossed House Bill No. 636, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 820, by Representatives Patterson, Charnley, Rabel, Goltz, Freeman, Benitz, Thompson, Maxie and Tilly:

Authorizing method of creating mandatory student association fees at institutions of higher education.

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

Mr. Patterson spoke in favor of the bill, and Mr. Eikenberry spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 820, and the bill passed the House by the following vote: Yeas, 63; nays, 33; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barden, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Curtis, Douthwaite, Ehlers, Erickson, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Kalich, Kelley, Kilbury, King, Kraabel, Leckenby, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Swayze, Tilly,



Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Anderson, Beck, Charette, Conner, Cunningham, Eikenberry, Ellis, Eng, Flanagan, Gaines, Garrett, Hansen, Hurley, Johnson, Jueling, Knowles, Kopet, Kuehnle, Laughlin, Luders, Lysen, May, North F., Polk, Pullen, Schumaker, Sommers, Thompson, Valle, Warnke.

Not voting: Representatives Julin, Rabel.

Engrossed House Bill No. 820, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 946, by Representatives Matthews and Adams:

Permitting the department of social and health services to adjust vendor's rates.

The bill was read the third time .

#### MOTION

Mrs. North (Lois) moved that the rules be suspended, and that House Bill No. 946 be returned to second reading for the purpose of amendment.

Mrs. North (Lois) spoke in favor of the motion, and Mr. Parker spoke against it.

Mr. Van Dyk demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Mrs. North (Lois) to return House Bill No. 946 to second reading, and the motion was lost by the following vote: Yeas, 18; nays, 78; not voting, 2.

Voting yea: Representatives Bender, Blair, Brown, Cunningham, Ehlers, Eng, Flanagan, King, Kraabel, Kuehnle, Moon, Nelson, North L., Pardini, Schumaker, Sommers, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Benitz, Berentson, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Eikenberry, Ellis, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, Knowles, Kopet, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Smythe, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Julin, Rabel.

The Speaker (Mr. O'Brien presiding) declared the question before the House to be final passage of House Bill No. 946.

Mr. Adams spoke in favor of the bill.

POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Charnley.

Mr. Charnley: "Thank you Representative Adams, I just wanted to clarify in my mind if the repayment is deferred, does that mean that the state is obligated to pay the difference from the time the rate goes up or is it really deferred increase?"

Mr. Adams: "They deferred not the increase, but deferred the service--they don't have to fulfill the service to the department unless the department can pay for it until such time as funds are available."

Representatives North (Lois) and Moon spoke against the bill.

Representatives Parker and Matthews spoke in favor of the bill, and Representatives Kraabel, Smith and Blair spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 946, and the bill passed the House by the following vote: Yeas, 74; nays, 21; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Barden, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Smythe, Swayze, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Blair, Ehlers, Eng, Flanagan, Goltz, Hansen, Hoggins, Kraabel, Lysen, Maxie, Moon, North F., North L., Shinpoch, Smith, Sommers, Williams, Wojahn.

Not voting: Representatives Julin, Pardini, Rabel.

House Bill No. 946, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Thompson, the House reverted to the sixth order of business.

## SECOND READING

ENGROSSED HOUSE BILL NO. 607, by Representatives Gallagher, McCormick, Knowles and Gaines:

Regulating tow trucks.

The bill was read the second time.

## MOTION

Mr. Kuehnle moved that all of his amendments to Engrossed House Bill No. 607 be considered as one.

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "It doesn't appear for that to be a proper way for the House to consider your amendments. You have a number of amendments and it is a bad practice to get involved in considering all of these amendments at once. You have amendments that involve different sections--new sections, striking sections. I think we should consider your first amendment."

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle and Leckenby:

On page 3, line 23 beginning with the comma after "operation" strike all the material down to the period on line 24.

Mr. Kuehnle spoke in favor of the amendment to Engrossed House Bill No. 607, and Mr. Gallagher spoke against it.

## POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Kuehnle, the question to me seems to be the matter of the franchise for an area. I did not believe that the previous remarks from the previous speaker really addressed that. My question would be that if one of us had our automobile damaged some distance away from home, without striking the language which you proposed to strike in your amendment, would we be able to send one tow truck to pick up that automobile traveling through several franchised districts of other operators, or would we be required to hire a whole series of operators?"

Mr. Kuehnle: "As I interpret the bill as written, Representative Newhouse, you would have to do exactly the latter--hire a whole series of operators, because there is language in there that says specifically that a tow truck

operator may not operate outside of his franchise area and he may not operate in the franchise area of another tow truck operator. So I would hazard to guess that if you had a wreck in Seattle, it might take you ten or twelve operators to get your car back to Spokane or Yakima."

Mr. Gallagher spoke against the amendment, and Mr. Leckenby spoke in favor of it.

Representatives Newhouse, Polk and Kuehnle spoke in favor of adoption of the amendment, and Representatives Perry, Charette and Savage spoke against it.

Mr. Morrison demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Kuehnle and Leckenby to Engrossed House Bill No. 607, and the amendment failed by the following vote: Yeas, 40; nays, 55; not voting, 3.

Voting yeas: Representatives Amen, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Randall, Schumaker, Tilly, Wilson, Zimmerman.

Voting nays: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Julin, Maxie, Rabel.

#### MOTION

Mr. Kuehnle moved that Engrossed House Bill No. 607 be rereferred to the Committee on Commerce.

Representatives Gallagher and Wojahn spoke against the motion.

Mr. Van Dyk demanded an electric roll call and the demand was sustained.

Mr. Newhouse spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Kuehnle to rerefer Engrossed House Bill No. 607 to the Committee on

Commerce, and the motion was lost by the following vote: Yeas, 44; nays, 51; not voting, 3.

Voting yea: Representatives Amen, Bausch, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Jastad, Juelling, Kelley, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Tilly, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Perry, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Julin, Parker, Rabel.

With the consent of the House, Mr. Kuehnle withdrew the rest of his amendments to Engrossed House Bill No. 607.

Engrossed House Bill No. 607 was ordered reengrossed.

#### MOTION

Mr. Thompson moved that the rules be suspended, the second reading be considered the third, and Reengrossed House Bill No. 607 be placed on third reading and final passage.

The motion failed and Reengrossed House Bill No. 607 was passed to Committee on Rules for third reading.

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

#### THIRD READING

HOUSE BILL NO. 1006, by Representatives Randall, Chatalas and Bagnariol:

Exempting certain personal contracts and athletic or sports franchises from property taxation.

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

Mr. Randall spoke in favor of the bill.

#### POINT OF PERSONAL PRIVILEGE

Mr. Hoggins asked to be excused from voting on House Bill No. 1006.

The Speaker (Mr. O'Brien presiding) asked Mr. Hoggins to make a statement as to why he wished to be excused from voting.

Mr. Hoggins: "Mr. Speaker, I own some franchise stock and I am investigating the further purchase of franchise stock."

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1006, and the bill passed the House by the following vote: Yeas, 73; nays, 21; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Knowles, Kraabel, Kuehne, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Morrison, Newhouse, North L., O'Brien, Paris, Parker, Patterson, Polk, Pullen, Randall, Savage, Schumaker, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Williams, and Mr. Speaker.

Voting nay: Representatives Bauer, Bausch, Blair, Charnley, Ehlers, Erickson, Kelley, Kopet, Laughlin, Lysen, Moon, North F., Pardini, Perry, Shinpoch, Smith, Warnke, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Hoggins, Julin, Nelson, Rabel.

House Bill No. 1006, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1044, by Representatives Bluechel, Bagnariol and Berentson:

Defining "original producer" of nursery stock for taxation purposes.

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

Mr. Bluechel spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1044, and the bill passed the House by the following vote: Yeas, 88; nays, 7; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas,

Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Shipoch, Smith, Smythe, Sommers, Swayze, Thompson, Tilly, Valle, Van Dyk, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Ehlers, Erickson, Moon, Pullen, Warnke, Williams.

Not voting: Representatives Blair, Julin, Rabel.

Engrossed House Bill No. 1044, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1059, by Representatives Perry, Rabel, Sommers, North (Frances), Fortson, Valle, Eng, Johnson, Wojahn, McCormick, Maxie and North (Lois):

Establishing the Washington state women's council.

#### MOTION

On motion of Mr. Thompson, the rules were suspended and Engrossed House Bill No. 1059 was returned to second reading for the purpose of amendment.

#### SECOND READING

The bill was read the second time.

On motion of Mr. Thompson, the following amendment to Engrossed House Bill No. 1059 was adopted:

On page 1, section 3, line 26, strike the date "October 1, 1973" and insert "March 1, 1974"

On motion of Mr. Thompson, the following amendment was adopted:

On page 3, section 11, line 14 strike "October 1, 1973" and insert "March 1, 1974"

The Clerk read the following amendment by Mr. Morrison:

On page 3, section 10, line 8 after "10." strike the remainder of the section and insert "On June 30, 1977 the authority, duties and responsibilities of the council shall be transferred to the Human Rights Commission or its successor and the council shall continue, as needed, in an advisory capacity to the commission."

Representatives Morrison and Sommers spoke in favor of adoption of the amendment, and Representatives Shipoch and Williams spoke against it.

Mr. Perry spoke in favor of the amendment by Mr. Morrison to Engrossed House Bill No. 1059.

The amendment was adopted.

Engrossed House Bill No. 1059 was ordered reengrossed.

#### MOTION

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Reengrossed House Bill No. 1059 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 1059, and the bill passed the House by the following vote: Yeas, 74; nays, 22; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hendricks, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Cunningham, Curtis, Eikenberry, Freeman, Gilleland, Hansen, Hansey, Haussler, Hayner, Hoggins, Juelling, Kelley, Kuehale, Matthews, Nelson, Newhouse, Polk, Schumaker, Tilly.

Not voting: Representatives Julin, Rabel.

Reengrossed House Bill No. 1059, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Thompson, the following title only bills were referred to the committees named:

HOUSE BILL NO. 1015 to the Committee on Ways and Means - Revenue;

HOUSE BILL NO. 1039 to the Committee on Agriculture;

HOUSE BILL NO. 1148 to the Committee on Transportation and Utilities;

HOUSE BILL NO. 1152 to the Committee on Financial Institutions;

HOUSE BILL NO. 1154 to the Committee on Financial Institutions;



HOUSE BILL NO. 1155 to the Committee on Financial Institutions;  
HOUSE BILL NO. 1156 to the Committee on Financial Institutions;  
HOUSE BILL NO. 1157 to the Committee on Financial Institutions.

On motion of Mr. Thompson, HOUSE BILL NO. 951 was rereferred from the Committee on State Government to the Committee on Social and Health Services.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:

SENATE CONCURRENT RESOLUTION NO. 143.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

MESSAGE FROM THE SENATE

January 18, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3041,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

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

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 3041, by Senators Grant and Whetzel:

AN ACT Relating to elections; amending section 35.22.150, chapter 7, Laws of 1965 and RCW 35.22.150; adding a new section to chapter 7, Laws of 1965 and to chapter 35.22 RCW; and declaring an emergency.

MOTION

On motion of Mr. Charette, the rules were suspended, and Engrossed Senate Bill No. 3041 was advanced to second reading and read the second time.

On motion of Mr. Charette, the rules were suspended, the second reading was considered the third, and Engrossed Senate Bill No. 3041 was placed on final passage.

Representatives Charette and Brown spoke in favor of the bill.

Mr. Curtis spoke against passage of the bill, and Mr. King spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3041, and the bill passed the House by the following vote: Yeas, 91; nays, 4; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barden, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Smythe, Sommers, Swayze, Thompson, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Berentson, Curtis, Schumaker, Tilly.

Not voting: Representatives Julin, Rabel, Williams.

Engrossed Senate Bill No. 3041, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, Engrossed Senate Bill No. 3041 was ordered transmitted immediately to the Senate.

#### MOTION

On motion of Mr. Thompson, HOUSE BILL NO. 1213 was referred to the Committee on Rules for second reading.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MESSAGE FROM THE SENATE

January 18, 1974

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3041,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker was about to sign:

SENATE BILL NO. 3041.

MOTION

On motion of Mr. Charette, all bills remaining on today's calendar were held for the calendar of the next working day.

On motion of Mr. Charette, the House adjourned until 11:00 a.m., Monday, January 21, 1974,

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 21, 1974.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Pastor Glen D. Cole of the Evergreen Christian Center of Olympia.

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

## MESSAGE FROM THE SENATE

January 18, 1974

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2006,  
ENGROSSED SENATE BILL NO. 2046,  
ENGROSSED SENATE BILL NO. 2488,  
ENGROSSED SENATE BILL NO. 2961,  
ENGROSSED SENATE BILL NO. 2962,  
SENATE BILL NO. 2974,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1308, by Representatives Ceccarelli, Eikenberry and Pardini (by Office of Program Planning and Fiscal Management request):

AN ACT Relating to public employees' benefits; amending section 1, chapter 264, Laws of 1971 ex. sess. as last amended by section 1, chapter 99, Laws of 1973 1st ex. sess. and RCW 41.04.250; adding a new section to chapter 41.04 RCW; making an appropriation; and declaring an emergency.

To Committee on Financial Institutions.

HOUSE BILL NO. 1309, by Representative Bauer (by Superintendent of Public Instruction request):

AN ACT Relating to the common schools and the support thereof; providing state assistance to school districts

for the construction and modernization of common school plant facilities; amending section 2, chapter 244, Laws of 1969 ex. sess. as amended by section 5, chapter 42, Laws of 1970 ex. sess. and RCW 28A.47.801; amending section 3, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.802; amending section 4, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.803; amending section 6, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.805; amending section 8, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.807; amending section 9, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.808; amending section 10, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.809; and amending section 11, chapter 244, Laws of 1969 ex. sess. and RCW 28A.47.810.

To Committee on Education.

HOUSE BILL NO. 1310, by Representatives Bagnariol and Shinpoch:

AN ACT Relating to appropriations.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1311, by Representatives Bagnariol and Shinpoch:

AN ACT Relating to appropriations.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1312, by Representative Bagnariol:

AN ACT Relating to appropriations.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1313, by Representative Maxie:

AN ACT Relating to higher education; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW; and declaring an emergency.

To Committee on Higher Education.

HOUSE BILL NO. 1314, by Representative Randall:

AN ACT Relating to real property taxes.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1315, by Representative Randall:

AN ACT Relating to real property taxes.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1316, by Representatives Newhouse, Sommers, Bagnariol and Rabel:

AN ACT Relating to the University of Washington; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.20 RCW; and repealing section 28B.20.380, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.380.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1317, by Representatives Bagnariol and Shinpoch:

AN ACT Relating to appropriations.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1318, by Representatives Bagnariol, Shinpoch, May, Ceccarelli, Charnley, Gallagher, Laughlin, Pullen and Van Dyk:

AN ACT Relating to revenue and taxation; amending section 82.08.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 281, Laws of 1971 ex. sess. and RCW 82.08.020; and amending section 82.12.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 281, Laws of 1971 ex. sess. and RCW 82.12.020.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1319, by Representatives Jueling and Flanagan:

AN ACT Relating to homesteads; amending section 11.52.010, chapter 145, Laws of 1965 as last amended by section 2, chapter 12, Laws of 1971 ex. sess. and RCW 11.52.010; amending section 11.52.020, chapter 145, Laws of 1965 as last amended by section 3, chapter 12, Laws of 1971 ex. sess. and RCW 11.52.020; and amending section 11.52.022, chapter 145, Laws of 1965 as amended by section 4, chapter 12, Laws of 1971 ex. sess. and RCW 11.52.022.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1320, by Representatives Smith, Laughlin and Van Dyk:

AN ACT Relating to the support of elderly, poor, and infirm persons; authorizing property tax exemptions; authorizing a program of rental support; amending section 4, chapter 288, Laws of 1971 ex. sess. as last amended by section 1, chapter 98, Laws of 1973 1st ex. sess. and RCW 84.36.370; adding a new chapter to Title 36 RCW; and prescribing an effective date.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1321, by Representatives Luders, Bausch, Morrison, Zimmerman, Bauer and Laughlin:

AN ACT Relating to the certification and regulation of operators responsible for the operation of public water supply systems; adding a new chapter to Title 43 RCW; providing penalties; declaring an emergency; and making an effective date.

To Committee on Social and Health Services.

HOUSE BILL NO. 1322, by Representatives Charnley and Berentson:

AN ACT Relating to utilities and transportation.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1323, by Representatives Bauer and Warnke:

AN ACT Relating to insurance for public school employees.

To Committee on Education.

HOUSE BILL NO. 1324, by Representatives Haussler and Schumaker:

AN ACT Relating to hunting, fishing, and hunting and fishing license fees; dedicating such increase for use by the department of emergency services; amending section 77.12.170, chapter 36, Laws of 1955 as last amended by section 11, chapter 200, Laws of 1973 1st ex. sess. and RCW 77.12.170; amending section 77.12.190, chapter 36, Laws of 1955 and RCW 77.12.190; amending section 77.32.100, chapter 36, Laws of 1955 as last amended by section 3, chapter 29, Laws of 1970 ex. sess. and RCW 77.32.100; amending section 77.32.103, chapter 36, Laws of 1955 as last amended by section 4, chapter 29, Laws of 1970 ex. sess. and RCW 77.32.103; amending section 77.32.110, chapter 36, Laws of 1955 as last amended by section 6, chapter 29, Laws of 1970 ex. sess. and RCW 77.32.110; and amending section

77.32.130, chapter 36, Laws of 1955 as last amended by section 8, chapter 29, Laws of 1970 ex. sess. and RCW 77.32.130.

To Committee on Natural Resources.

HOUSE BILL NO. 1325, by Representatives Bluechel, Haussler and Pardini (by Department of Commerce and Economic Development request):

AN ACT Relating to the economic assistance program; amending section 13, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.130; amending section 16, chapter 117, Laws of 1972 ex. sess. and RCW 43.31A.160; and adding a new section to chapter 117, Laws of 1972 ex. sess. and to chapter 43.31A RCW.

To Committee on Commerce.

HOUSE BILL NO. 1326, by Representatives Thompson, Knowles, Douthwaite, Brown, Gaspard, Kraabel, Williams and Van Dyk:

AN ACT Relating to government; establishing the office of ombudsman for corrections; adding a new chapter to Title 72 RCW; and providing penalties.

To Committee on State Government.

HOUSE BILL NO. 1327, by Representatives Bagnariol and Shinpoch:

AN ACT Relating to appropriations.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1328, by Representatives Douthwaite, Ceccarelli, Chatalas, Barnes, Charnley, Valle, Lysen, Perry, Cunningham, Leckenby and Van Dyk:

AN ACT Relating to port districts; authorizing port districts operating an airport to undertake programs to control and abate aircraft noise; and adding a new chapter to Title 53 RCW.

To Committee on Local Government.

HOUSE BILL NO. 1329, by Representatives Shinpoch, Bagnariol, Kopet and Polk:

AN ACT Relating to the attachment of fiscal notes to bills and resolutions of the legislature; amending section 8, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.100



and adding a new chapter to Title 44 RCW.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1330, by Representatives Ellis and Hoggins (by Superintendent of Public Instruction request):

AN ACT Relating to institutional education programs.

To Committee on Education.

HOUSE BILL NO. 1331, by Representatives Shinpoch, Curtis, Chatalas and Maxie:

AN ACT Relating to state government; creating the office of ombudsman; adding a new chapter to Title 43 RCW; making an appropriation; and making an effective date.

To Committee on State Government.

HOUSE BILL NO. 1332, by Representatives Randall, Sommers and Pardini (by Department of Revenue request):

AN ACT Relating to property taxes; amending section 20, chapter 288, Laws of 1971 ex. sess. as amended by section 1, chapter 67, Laws of 1973 1st ex. sess. and RCW 84.55.010; amending section 21, chapter 288, Laws of 1971 ex. sess. and RCW 84.55.020; and amending section 22, chapter 288, Laws of 1971 ex. sess. as amended by section 107, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.55.030.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1333, by Representatives Perry, Leckenby and Wojahn:

AN ACT Relating to contractors; and adding a new section to chapter 77, Laws of 1963 and to chapter 18.27 RCW.

To Committee on Commerce.

HOUSE BILL NO. 1334, by Representatives Randall, Sommers and Pardini (by Department of Revenue request):

AN ACT Relating to revenue and taxation; amending section 84.69.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 126, Laws of 1972 ex. sess. and RCW 84.69.020; and adding a new section to Title 84 RCW.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1335, by Representatives Fortson, May and Savage:

AN ACT Relating to unemployment compensation; and amending section 4, chapter 35, Laws of 1945 as last amended by section 1, chapter 73, Laws of 1973 and RCW 50.04.030.

To Committee on Labor.

HOUSE BILL NO. 1336, by Representatives Johnson and King:

AN ACT Relating to the Senate; and adding a new section to chapter 44.08 RCW.

To Committee on State Government.

HOUSE BILL NO. 1337, by Representative Kilbury:

AN ACT Relating to irrigation districts; and amending section 1, chapter 159, Laws of 1951 and RCW 87.03.160.

To Committee on Local Government.

HOUSE BILL NO. 1338, by Representatives Ceccarelli, Rabel, Perry, Sommers, Chatalas, Eng, O'Brien, Wojahn, Charnley, Valle, Maxie, Williams and Van Dyk:

AN ACT Relating to child care; creating new sections; and making an appropriation.

To Committee on Social and Health Services.

HOUSE BILL NO. 1339, by Representatives Savage, King and Gallagher:

AN ACT Relating to unemployment compensation; providing mandatory coverage for employees of cities; amending section 21, chapter 35, Laws of 1945 as last amended by section 9, chapter 3, Laws of 1971 and RCW 50.04.200; amending section 20, chapter 3, Laws of 1971 as amended by section 2, chapter 35, Laws of 1972 ex. sess. and RCW 50.44.030; establishing an effective date; and declaring an emergency.

To Committee on Labor.

HOUSE BILL NO. 1340, by Representatives Bluechel, Williams, Paris, Adams and Kelley:

AN ACT Relating to special powers of attorney; and adding a new chapter to Title 71 RCW.

To Committee on Judiciary.

HOUSE BILL NO. 1341, by Representatives King, Morrison, Charette, Savage, Beck and Bausch:

AN ACT Relating to employer/employee relations in the public and private sectors; providing for an educational employment relations act; amending section 1, chapter 105, Laws of 1973 1st ex. sess. and RCW 28A.01.130; amending section 22, chapter 34, Laws of 1969 ex. sess. and RCW 28A.67.065; repealing section 28A.72.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.010; repealing section 28A.72.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.020; repealing section 28A.72.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.030; repealing section 28A.72.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.050; repealing section 28A.72.060, chapter 223, Laws of 1969 ex. sess., section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060; repealing section 28A.72.070, chapter 223, Laws of 1969 ex. sess., section 4, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.070; repealing section 28A.72.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.080; repealing section 28A.72.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.090; repealing section 1, chapter 115, Laws of 1973 1st ex. sess. and RCW 28A.72.100; repealing section 1, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.010; repealing section 2, chapter 196, Laws of 1971 ex. sess., section 1, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.020; repealing section 3, chapter 196, Laws of 1971 ex. sess., section 2, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.030; repealing section 4, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.050; repealing section 5, chapter 196, Laws of 1971 ex. sess., section 3, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.060; repealing section 6, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.070; repealing section 7, chapter 196, Laws of 1971 ex. sess., section 5, chapter 205, Laws of 1973, 1st ex. sess. and RCW 28B.52.080; repealing section 8, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.090; repealing section 9, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.100; repealing section 4, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.035; repealing section 6, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.200; and establishing an effective date.

To Committee on Labor.

HOUSE BILL NO. 1342, by Representatives Wilson, Nelson, Fortson, Martinis, Clemente, Bender, Moon, King, Brown and Hoggins:

AN ACT Relating to master programs for regulation of uses of shorelines; amending section 8, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.080; and declaring an

emergency.

To Committee on Local Government.

HOUSE BILL NO. 1343, by Representatives Savage, King and Gallagher:

AN ACT Relating to unemployment compensation; providing mandatory coverage for employees of counties; amending section 21, chapter 35, Laws of 1945 as last amended by section 9, chapter 3, Laws of 1971 and RCW 50.04.200; amending section 20, chapter 3, Laws of 1971 as amended by section 2, chapter 35, Laws of 1972 ex. sess. and RCW 50.44.030; establishing an effective date; and declaring an emergency.

To Committee on Labor.

HOUSE BILL NO. 1344, by Representatives Parker, Adams and Warnke:

AN ACT Relating to parks and recreation; adding new sections to chapter 43.51 RCW; and prescribing a penalty.

To Committee on Parks and Recreation.

HOUSE BILL NO. 1345, by Representatives Kraabel, Randall, Shinpoch, Sommers, Curtis, Charnley, Matthews, Rabel, Wilson and North (Lois):

AN ACT Relating to revenue and taxation; deferring property taxes for certain persons and creating a lien; creating a new chapter in Title 84 RCW; and prescribing an effective date.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1346, by Representatives Erickson and Ehlers:

AN ACT Relating to water supply facilities; and amending section 5, chapter 128, Laws of 1972 ex. sess. and RCW 43.83B.050.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1347, by Representatives Wilson and Johnson:

AN ACT Relating to the Washington state teachers' retirement system; amending section 57, chapter 80, Laws of 1947 as last amended by section 5, chapter 151, Laws of 1967 and RCW 41.32.570; and declaring an

emergency.

To Committee on Education.

HOUSE BILL NO. 1348, by Representatives Wilson, Haussler, Berentson and Curtis:

AN ACT Relating to fire protection districts; amending section 22, chapter 34, Laws of 1939 as last amended by section 1, chapter 86, Laws of 1973 and RCW 52.12.010; amending section 3, chapter 242, Laws of 1971 ex. sess. and RCW 52.12.015; amending section 25, chapter 34, Laws of 1939 as last amended by section 1, chapter 101, Laws of 1972 ex. sess. and RCW 52.12.040; and adding new sections to chapter 52.12 RCW.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1349, by Representatives Erickson, Knowles and Bauer:

AN ACT Relating to school districts; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

To Committee on Education.

HOUSE BILL NO. 1350, by Representatives Adams and Kopet (by Department of Social and Health Services request):

AN ACT Relating to state institutions; amending section 8, chapter 141, Laws of 1967 and RCW 72.33.685; creating new sections; repealing section 1, chapter 141, Laws of 1967 and RCW 72.33.650; repealing section 2, chapter 141, Laws of 1967, section 2, chapter 118, Laws of 1971 ex. sess. and RCW 72.33.655; repealing section 3, chapter 141, Laws of 1967 and RCW 72.33.660; repealing section 4, chapter 141, Laws of 1967, section 3, chapter 118, Laws of 1971 ex. sess., and RCW 72.33.665; repealing section 5, chapter 141, Laws of 1967, section 1, chapter 75, Laws of 1970 ex. sess. and RCW 72.33.670; repealing section 7, chapter 141, Laws of 1967 and RCW 72.33.680; repealing section 9, chapter 141, Laws of 1967 and RCW 72.33.690; and repealing section 11, chapter 141, Laws of 1967 and RCW 72.33.695.

To Committee on Social and Health Services.

HOUSE BILL NO. 1351, by Representative Van Dyk:

AN ACT Relating to education; setting forth an economic impact act for employees of school districts of the state of Washington; adding new sections to chapter 223, Laws of 1969 ex. sess. as a new chapter to Title

28A RCW; and declaring an emergency.

To Committee on Education.

HOUSE BILL NO. 1352, by Representatives Schumaker, Luders, Leckenby, Haussler and Benitz:

AN ACT Relating to taxation; and amending section 3, chapter 13, Laws of 1963 ex. sess. and RCW 52.16.170.

To Committee on Natural Resources.

HOUSE BILL NO. 1353, by Representatives King, May and Savage:

AN ACT Relating to the department of labor and industries; amending section 28A.72.060, chapter 223, Laws of 1969 ex. sess. as amended by section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060; amending section 5, chapter 196, Laws of 1971 ex. sess. as amended by section 3, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.060; amending section 7, chapter 196, Laws of 1971 ex. sess. as amended by section 5, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.080; amending section 1, chapter ... (HB No. ...), Laws of 1974 ex. sess. and RCW 43.22.010; amending section 43.22.260, chapter 8, Laws of 1965 as last amended by section 11, chapter 16, Laws of 1973 2nd ex. sess. and RCW 43.22.260; amending section 43.22.270, chapter 8, Laws of 1965 as last amended by section 12, chapter 16, Laws of 1973 2nd ex. sess. and RCW 43.22.270; adding new sections to chapter 41.56 RCW; and adding a new section to chapter 43.22 RCW.

To Committee on Labor.

HOUSE BILL NO. 1354, by Representatives Charette and Knowles (by Code Reviser request):

AN ACT Relating to business and professions; reenacting section 2, chapter 281, Laws of 1927 as last amended by section 16, chapter 148, Laws of 1973 1st ex. sess. and by section 21, chapter 154, Laws of 1973 1st ex. sess. and RCW 18.18.010; reenacting section 9, chapter 77, Laws of 1963 as last amended by section 6, chapter 153, Laws of 1973 1st ex. sess. and by section 1, chapter 161, Laws of 1973 1st ex. sess. and RCW 18.27.090; and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1355, by Representatives Charette and Knowles (by Code Reviser request):

AN ACT Relating to volunteer firemen; reenacting section 18, chapter 261, Laws of 1945 as last amended by section 75, chapter 154, Laws of 1973 1st ex. sess. and by section 3, chapter 170, Laws of 1973 1st ex. sess. and RCW 41.24.180; and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1356, by Representatives Charette and Knowles (by Code Reviser request):

AN ACT Relating to the department of labor and industries; reenacting section 43.22.010, chapter 8, Laws of 1965 as last amended by section 2, chapter 52, Laws of 1973 1st ex. sess. and by section 8, chapter 153, Laws of 1973 1st ex. sess. and RCW 43.22.010; and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1357, by Representatives Charette and Knowles (by Code Reviser request):

AN ACT Relating to the state highway commission; reenacting section 47.01.160, chapter 13, Laws of 1961 as last amended by section 21, chapter 106, Laws of 1973 and by section 2, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.01.160; and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1358, by Representatives Charette and Knowles (by Code Reviser request):

AN ACT Relating to revenue and taxation; reenacting section 82.36.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 124, Laws of 1973 1st ex. sess. and by section 1, chapter 160, Laws of 1973 1st ex. sess. and RCW 82.36.020; reenacting section 19, chapter 22, Laws of 1963 ex. sess. as last amended by section 6, chapter 95, Laws of 1973 and by section 3, chapter 124, Laws of 1973 1st ex. sess. and RCW 82.37.190; and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1359, by Representatives Charette and Knowles (by Code Reviser request):

AN ACT Relating to domestic relations; amending and reenacting section 1, chapter 174, Laws of 1909 as last amended by section 27, chapter 154, Laws of 1973 1st

ex. sess. and RCW 26.04.030; and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1360, by Representatives Charette and Knowles (by Code Reviser request):

AN ACT Relating to industrial insurance; amending and reenacting section 51.32.040, chapter 23, Laws of 1961 as last amended by section 95, chapter 154, Laws of 1973 1st ex. sess. and RCW 51.32.040; and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1361, by Representatives Charette and Knowles (by Code Reviser request):

AN ACT Relating to water districts; amending and reenacting section 7, chapter 18, Laws of 1959 as last amended by section 69, chapter 195, Laws of 1973 1st ex. sess. and RCW 57.16.020; and declaring an emergency.

To Committee on Judiciary.

HOUSE JOINT RESOLUTION NO. 45, by Representatives King and Bagnariol:

Amending the Constitution to authorize property tax relief.

To Committee on Ways and Means - Revenue.

HOUSE JOINT RESOLUTION NO. 46, by Representative Randall:

Proposing an amendment to the Constitution.

To Committee on Ways and Means - Revenue.

HOUSE JOINT RESOLUTION NO. 47, by Representative Randall:

Amending the Constitution.

To Committee on Ways and Means - Revenue.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2006, by Committee on Natural Resources (Originally sponsored by Senators Peterson, L. and Talley):

AN ACT Relating to game; adding a new section to chapter 36, Laws of 1955 and to chapter 77.32 RCW; and



prescribing penalties.

To Committee on Natural Resources.

ENGROSSED SENATE BILL NO. 2046, by Senators Scott and Marsh:

AN ACT Relating to motor vehicles; repealing section 46.08.080, chapter 12, Laws of 1961 and RCW 46.08.080; repealing section 1, chapter 18, Laws of 1933 and RCW 46.08.085; repealing section 2, chapter 18, Laws of 1933 and RCW 46.08.086.

To Committee on Judiciary.

ENGROSSED SENATE BILL NO. 2488, by Senators Van Hollebeke, Woody, Atwood, Mardesich, Greive, Walgren and Twigg:

AN ACT Relating to motor vehicles; and amending section 1, chapter 1, Laws of 1961 and RCW 46.20.308.

To Committee on Judiciary.

ENGROSSED SENATE BILL NO. 2961, by Senators Walgren, Whetzel, Francis and Keefe:

AN ACT Relating to prosecuting attorneys; adding a new section to chapter 36.27 RCW; and declaring an emergency.

To Committee on Judiciary.

ENGROSSED SENATE BILL NO. 2962, by Senators Walgren, Whetzel, Francis and Keefe:

AN ACT Relating to cities and towns; and adding a new section to chapter 35.21 RCW; and declaring an emergency.

To Committee on Judiciary.

SENATE BILL NO. 2974, by Senators Woody and Francis:

AN ACT Relating to district court jurisdiction in supplemental proceedings; amending section 23, chapter 133, Laws of 1893 and RCW 6.32.230; and amending section 24, chapter 133, Laws of 1893 as amended by section 2, chapter 93, Laws of 1899 and RCW 6.32.240.

To Committee on Judiciary.

## MOTION

On motion of Mr. Thompson, all bills listed on the agenda on the fourth order of business, were referred to the committees designated with the exception of HOUSE BILL NO. 1338 to be referred to the Committee on Higher Education.

## STANDING COMMITTEE REPORTS

January 18, 1974

HOUSE BILL NO. 379, Prime sponsor: Representative Clemente, implementing laws relating to action by owner of stolen goods brought to recover them, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, beginning on line 7 after "dealer, and" strike "is forced to bring" and insert "(( is forced to bring )) after having made demand brings"

Signed by Representatives Knowles, Chairman; Eikenberry, Gaspard, Hayner, Maxie, Newhouse, North (Lois), Shinpoch, Smith, Sommers.

January 18, 1974

HOUSE BILL NO. 493, Prime sponsor: Representative Knowles, repealing the host-guest statutes, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Eikenberry, Vice Chairman; Gaspard, Hayner, Maxie, Newhouse, North (Lois), Shinpoch, Smith, Sommers.

January 18, 1974

HOUSE BILL NO. 1065, Prime sponsor: Representative Hayner, requiring that a copy of every adverse decision and order in administrative proceedings be transmitted to the party's attorney of record, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Eikenberry, Gaspard, Hayner, Maxie, Newhouse, North (Lois), Shinpoch, Smith, Sommers.

January 18, 1974

HOUSE BILL NO. 1169, Prime sponsor: Representative Williams, establishing the Washington commission on Asian-American affairs, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, beginning on line 21 strike all of section 14 and insert a new section as follows:

" NEW SECTION. Sec. 14. This act shall expire automatically on June 30, 1977, unless such expiration date be removed or extended by subsequent action of the legislature."

On page 1, line 3 of the title, after "RCW;" strike the remainder of the title and insert "declaring an emergency; making an effective date; and providing an expiration date."

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Ehlers, Gaines, Hendricks, Kopet, Moon.

January 18, 1974

HOUSE BILL NO. 1173, Prime sponsor: Representative Laughlin, granting counties power to expend certain moneys, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Amen, Honan, Kishimoto, Laughlin, Nelson, North (Frances), Paris, Sommers, Zimmerman.

January 18, 1974

HOUSE BILL NO. 1201, Prime sponsor: Representative Adams, authorizing cities to enter into health services contracts, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Cunningham, Ellis, Fortson, Freeman, Hendricks, Honan, Johnson, May, Paris, Savage, Wojahn.

January 18, 1974

HOUSE BILL NO. 1202, Prime sponsor: Representative Adams, enacting a good samaritan law, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Cunningham, Ellis, Eng, Fortson, Freeman, Hendricks, Honan, Johnson, Matthews, May, Paris, Savage.

January 18, 1974

HOUSE BILL NO. 1203, Prime sponsor: Representative Adams, authorizing counties to enter into health services contracts, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Cunningham, Ellis, Fortson, Freeman, Hendricks, Honan, Johnson, May, Paris, Savage, Wojahn.

January 18, 1974

HOUSE BILL NO. 1204, Prime sponsor: Representative Adams, establishing a common statewide telephone number for emergency services, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Cunningham, Fortson, Freeman, Hendricks, Honan, Johnson, May, Paris, Savage.

January 18, 1974

HOUSE BILL NO. 1170, Prime sponsor: Representative Adams, providing for licensure of Canadian physicians to practice in this state, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Cunningham, Ellis, Fortson, Freeman, Honan, Matthews, May, Paris, Savage.

January 17, 1974

HOUSE BILL NO. 1226, Prime sponsor: Representative McCormick, regulating metro vehicles, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Martinis, Nelson, Patterson, Pullen, Schumaker, Wilson.

January 18, 1974

HOUSE JOINT RESOLUTION NO. 31, Prime sponsor: Representative Charnley, revising Article XXIII of the Constitution relating to amendments and revisions, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 1 after "Article XXIII, section 1." strike the remainder of the joint resolution and insert the following:

"Any amendment or amendments to this Constitution may be proposed in either branch of the legislature; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the

eyes and noes thereon, and be submitted to the qualified electors of the state for their approval, at the next general election; and if the people approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this Constitution, and proclamation thereof shall be made by the governor: PROVIDED, That if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such amendments separately. An amendment which amends an entire article or less than the entire article shall be considered as one amendment and may be submitted to the electorate as a single proposition even though it relates to different sections of the article; and an amendment composed of amendments to sections contained in more than one article may be submitted to the electorate as a single proposition if it embraces one subject only and matters properly connected therewith.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of the foregoing constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state."

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Brown, Conner, Eng, Erickson, Hayner, Knowles, Maxie, Rabel.

January 18, 1974

HOUSE RESOLUTION NO. 74-121, Prime sponsor, Representative Wojahn, state court administrator authorized and requested to develop new programs, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Eikenberry, Gaspard, Hayner, Maxie, Newhouse, North (Lois), Shinpoch, Smith, Sommers.

#### MOTION

On motion of Mr. Thompson, all bills and resolutions listed on the standing committee reports on the fifth order of business were passed to Committee on Rules for second reading.

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

#### SECOND READING

HOUSE BILL NO. 122, by Representatives Benitz, May, Hayner, Ceccarelli, Hendricks, McCormick, Paris and Schumaker:

Preventing the display of indecent materials.

The bill was read the second time.

On motion of Mr. Knowles, Substitute House Bill No. 122 was substituted for House Bill No. 122, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 122 was read the second time and passed to the Committee on Rules for third reading.

HOUSE BILL NO. 437, by Representatives Brown and Luders (by Joint Committee on Education request):

Implementing the law relating to intermediate school districts.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, page 677, of the 1973 regular session.)

The bill was read the second time.

#### MOTION

Mr. Bauer moved that all the committee amendments be considered as one.

#### SPEAKER'S RULING

The Speaker: "Because of past difficulties, I think we will proceed to each amendment one at a time and then we can avoid any possible confusion and future motions to divide the question."

On motion of Mr. Bauer, the following amendment to the committee amendment was adopted:

On the committee amendment to page 13, line 5 after "insert" strike "1979" and insert "1976"

On motion of Mr. Bauer, the committee amendments as amended were adopted.

House Bill No. 437 was ordered engrossed.

#### MOTION

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 437 was placed on third reading and final passage.

Engrossed House Bill No. 437 was read the third time.

Mr. Brown spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 437, and the bill passed the House by the following vote: Yeas, 88; nays, 8; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas,

Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Anderson, Charette, Flanagan, Kilbury, Kuehnle, Thompson, Wojahn, Zimmerman.

Not voting: Representatives Kelley, Patterson.

Engrossed House Bill No. 437, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

Due to malfunction of the voting machine, my vote on Engrossed House Bill No. 437 is "nay" when I intended it to be "yea."

ERIC O. ANDERSON, 19th District.

HOUSE BILL NO. 967, by Representatives Hendricks, Jastad, Kopet, Wojahn and Valle (by Executive request):

Providing regulations for the packaging of household substances which may be injurious to children.

The bill was read the second time.

On motion of Mrs. Wojahn, Substitute House Bill No. 967 was substituted for House Bill No. 967, and the substitute bill was placed on the calendar for second reading.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 967 was placed on final passage.

Mr. Hendricks spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 967, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan,

Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Brown, Kelley.

Substitute House Bill No. 967, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 385, by Representatives Van Dyk, Kelley and Patterson:

Establishing animal technicians, allowing state veterinary board to employ a secretary, and providing for suspension or revocation of veterinary license if revoked in another state.

The bill was read the second time.

Committee on Agriculture recommendation: Do pass with amendments. (For amendments, see Journal, page 2953, 1973 2nd ex. sess.)

#### POINT OF INFORMATION

Mr. Kilbury: "As the bill passed the House the last time it had these amendments attached. Do we now have to proceed through them again?"

The Speaker: "Mr. Kilbury, these amendments were not adopted before."

On motion of Mr. Kilbury the committee amendments were adopted.

Engrossed House Bill No. 385 was ordered reengrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Reengrossed House Bill No. 385 was placed on final passage.

#### MOTION

On motion of Mr. Moon, Reengrossed House Bill No. 385 was placed at the top of tomorrow's third reading calendar.



HOUSE BILL NO. 427, by Representative Kilbury (by Department of Agriculture request):

Providing regulations for the salvage of food.

The bill was read the second time.

MOTION

On motion of Mr. Thompson, further consideration of House Bill No. 427 was deferred, and the bill was ordered placed on tomorrow's second reading calendar.

HOUSE BILL NO. 491, by Representatives Johnson, Conner and Ellis:

Directing the highway commission to provide additional phone service in certain areas.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Do pass with amendment. (For amendment, see Journal, page 777, regular session.)

Mr. Bluechel moved adoption of the following amendment to the committee amendment:

On page 1, section 1, line 7 of the amendment after "Vantage" and before the period insert "; PROVIDED, That where there are no existing power or telephone poles along the existing road right of way all wiring for emergency telephone service must be placed underground"

Representatives Bluechel and Perry spoke in favor of the amendment to the committee amendment, and Representative Kilbury spoke against it.

The amendment to the committee amendment was adopted.

On motion of Mr. Bluechel, the committee amendment as amended was adopted.

POINT OF INQUIRY

Mr. Beck yielded to question by Mr. Amen.

Mr. Amen: "Representative Beck, how many of these public telephone systems would be put in there? Do you have a cost on this?"

Mr. Beck: "Well, Mr. Amen, yes, there is a fiscal impact to this thing of about \$15,000. Now that you have adopted this amendment to put it underground I don't know what it will cost. Maybe it's cheaper here, I don't know. I know that there are about 30 or 40 miles from Richland up to Hanford and occasionally you will see telephone wires and power cables going across the highway. When we discussed this in committee, the intent was to hang it on

one of these crosswires going across the highway over there."

Mr. Amen: "About how many would there be?"

Mr. Beck: "As I understood it--we discussed it as a pilot project--it would be located about halfway. There will be one over there."

#### POINT OF INQUIRY

Mr. Beck yielded to question by Mr. Julin.

Mr. Julin: "Representative Beck, when the Transportation Committee was considering this, you selected a particular site some 30 miles long, out in the Richland-Vantage area. Apparently there are no existing power lines or telephone lines there. I am wondering if you considered using this thing as a pilot project on some other remote highway where the power lines already are in so that the cost would be much less?"

Mr. Beck: "There are power lines and telephone lines crossing the highway; there are none going parallel with the highway. That's why the fiscal impact is about \$15,000. You obviously have to string wire someplace out in that country; you go for 30 miles and not even see a house. Someday you may get your car broken down there in the middle of the night and it's a long walk."

Representatives Julin and Johnson spoke in favor of the bill, and Representative Leckenby spoke against it.

Mr. Beck spoke again in favor of the bill.

House Bill No. 491 was ordered engrossed.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 491 be placed on final passage.

#### POINT OF PERSONAL PRIVILEGE

Mr. Nelson: "With the permission of the House, I would like to be excused from voting on this bill on final passage."

The House voted not to excuse Mr. Nelson from voting on Engrossed House Bill No. 491.

The motion by Mr. Conner to advance the bill to third reading and final passage was lost.

Engrossed House Bill No. 491 was passed to Committee on Rules for third reading.

HOUSE BILL NO. 624, by Representative Swayze:

Excluding baby sitting referral services from the definition of employment agencies.

The bill was read the second time.

On motion of Mr. Thompson, the rules were suspended to allow additional sponsors to sign on House Bill No. 624.

Representatives Honan, Berentson, Curtis, Freeman, Gilleland, Hansey, Hendricks, Kishimoto, Leckenby, Pardini, Polk, Wojahn and Zimmerman sponsored House Bill No. 624.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 624 was placed on final passage.

Mrs. Wojahn spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 624, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Julin, Kelley, Kuehnle.

House Bill No. 624, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Thompson, all bills remaining on the second and third reading calendars were ordered placed on tomorrow's calendar.

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Tuesday, January 22, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

NINTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 22, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Charette, Hoggins, Kelley, Martinis, Smith, Thompson and Mr. Speaker. Representatives Charette, Martinis, Smith, Thompson and Mr. Speaker were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Glen D. Cole of Evergreen Christian Center, Olympia.

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

## MESSAGE FROM THE SENATE

January 21, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2329,

SENATE BILL NO. 2399,

SENATE BILL NO. 2937,

SENATE JOINT RESOLUTION NO. 143,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

HOUSE BILL NO. 1362, by Representatives Charnley, Nelson and Gaines:

AN ACT Relating to public transportation systems; amending section 35.58.030, chapter 7, Laws of 1965 and RCW 35.58.030; amending section 2, chapter 296, Laws of 1971 ex. sess. and RCW 82.14.045; and making an effective date.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1363, by Representatives Bagnariol, Hendricks, Bausch and Ceccarelli:

AN ACT Relating to public employment; amending section 3, chapter 274, Laws of 1947 as last amended by section 3, chapter 190, Laws of 1973 1st ex. sess. and RCW

41.40.030; amending section 16, chapter 274, Laws of 1947 as last amended by section 6, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.150; amending section 39, chapter 274, Laws of 1947 as amended by section 6, chapter 127, Laws of 1967 and RCW 41.40.380; adding new sections to chapter 41.40 RCW; and declaring an emergency.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1364, by Representative Charnley:

AN ACT Relating to condominiums.

To Committee on Commerce.

HOUSE BILL NO. 1365, by Representatives Perry, Charette, Leckenby and Kraabel:

AN ACT Relating to the regulation of speeds of motor vehicles; amending section 2, chapter 16, Laws of 1963 as last amended by section 2, chapter 100, Laws of 1970 ex. sess. and RCW 46.61.405; amending section 3, chapter 16, Laws of 1963 as last amended by section 1, chapter 100, Laws of 1970 ex. sess. and RCW 46.61.410; amending section 46.48.041, chapter 12, Laws of 1961 and RCW 46.61.430; and declaring an emergency.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1366, by Representatives Martinis, Perry, Berentson and Rabel:

AN ACT Relating to public works contracts; and adding a new section to chapter 39.04 RCW.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1367, by Representative Gaspard:

AN ACT Relating to debenture companies.

To Committee on Financial Institutions.

HOUSE BILL NO. 1368, by Representatives Luders, Charnley and Clemente:

AN ACT Relating to solid waste management; amending section 2, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.020; amending section 7, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.070; and amending section 26, chapter 134, Laws of 1969 ex. sess. and RCW

70.95.260.

To Committee on Ecology.

HOUSE BILL NO. 1369, by Representative Luders:

AN ACT Relating to second class shorelands; and adding a new section to chapter 79.01 RCW.

To Committee on Natural Resources.

HOUSE BILL NO. 1370, by Representatives Berentson, Hansen, Hansey and Tilly:

AN ACT Relating to regulation and route protection of commuter airlines.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1371, by Representative Chafette:

AN ACT Relating to the Washington state data processing authority.

To Committee on State Government.

HOUSE BILL NO. 1372, by Representatives Bagnariol, Kopet, Warnke, Morrison, Bausch, Thompson, Gaines and North (Frances) - (by State Teachers' Retirement System request):

AN ACT Relating to the Washington State Teachers' Retirement System; amending section 11, chapter 14, Laws of 1963 ex. sess. and RCW 41.32.401; amending section 7, chapter 151, Laws of 1967 and RCW 41.32.4942; adding a new section to chapter 41.32 RCW; repealing section 4, chapter 22, Laws of 1961 ex. sess. and RCW 41.32.4941; and repealing section 3, chapter 22, Laws of 1961 ex. sess. and RCW 41.32.494.

To Committee on Education.

HOUSE BILL NO. 1373, by Representatives Laughlin, Haussler, Amen, Benitz, Hansen, Kilbury, Schumaker and Tilly:

AN ACT Relating to noxious weeds; amending section 5, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.050; amending section 15, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.150; amending section 17, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.170; amending section 24, chapter 113, Laws of 1969 ex. sess. and RCW 17.10.240; and adding a new section to chapter 17.10

RCW.

To Committee on Agriculture.

HOUSE BILL NO. 1374, by Representatives Shinpoch, Kopet and Bagnariol:

AN ACT Relating to the budget and accounting system; amending section 43.88.010, chapter 8, Laws of 1965 as amended by section 1, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.010; amending section 43.88.020, chapter 8, Laws of 1965 as last amended by section 2, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.020; amending section 43.88.090, chapter 8, Laws of 1965 as amended by section 6, chapter 100, Laws of 1973 1st ex. sess. and RCW 43.88.090; adding new sections to chapter 43.88 RCW; and declaring an emergency.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1375, by Representatives Adams, Honan, Parker, Martinis, Erickson, Beck, Gallagher, Gaspard and Jueling:

AN ACT Relating to port districts; and amending section 4, chapter 17, Laws of 1959 as last amended by section 2, chapter 51, Laws of 1965 and RCW 53.12.020.

To Committee on Local Government.

HOUSE BILL NO. 1376, by Representatives Savage, Kilbury, McCormick, Bauer and Laughlin:

AN ACT Relating to environmental policy; adding a new section to chapter 109, Laws of 1971 ex. sess. and to chapter 43.21C RCW; and declaring an emergency.

To Committee on Ecology.

HOUSE BILL NO. 1377, by Representatives Thompson, Pardini, Rabel, Leckenby and Van Dyk:

AN ACT Relating to correctional institutions; and amending section 1, chapter 294, Laws of 1927 as last amended by section 1, chapter 73, Laws of 1970 ex. sess. and RCW 19.20.020.

To Committee on Social and Health Services.

HOUSE BILL NO. 1378, by Representatives Charnley and Douthwaite:

AN ACT Relating to excise taxes on fuels.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1379, by Representative Charnley:

AN ACT Relating to excise taxes on fuels.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1380, by Representatives Charette, Kilbury, Charnley, Gaines and North (Frances):

AN ACT Relating to railroads; and adding a new section to chapter 81.48 RCW.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1381, by Representative Kilbury:

AN ACT Relating to juries; amending section 66, chapter 28, Laws of 1891 and RCW 10.49.020; amending section 2, chapter 43, Laws of 1903 as amended by section 3, chapter 304, Laws of 1961 and RCW 4.44.110; and amending section 1, chapter 38, Laws of 1973 as amended by section 1, chapter 16, Laws of 1973 and RCW 36.18.020.

To Committee on Judiciary.

HOUSE BILL NO. 1382, by Representative King:

AN ACT Relating to labor relations.

To Committee on Labor.

HOUSE BILL NO. 1383, by Representative King:

AN ACT Relating to labor relations.

To Committee on Labor.

HOUSE BILL NO. 1384, by Representatives King and Maxie:

AN ACT Relating to higher education; and amending section 10, chapter 269, Laws of 1969 ex. sess. and RCW 28B.10.290.

To Committee on Higher Education.



HOUSE BILL NO. 1385, by Representative King:

AN ACT Relating to public disclosure; amending section 16, chapter 1, Laws of 1973 and RCW 42.17.160; amending section 18, chapter 1, Laws of 1973 and RCW 42.17.180; amending section 19, chapter 1, Laws of 1973 and RCW 42.17.190; and amending section 24, chapter 1, Laws of 1973 and RCW 42.17.240.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1386, by Representative Parker:

AN ACT Relating to podiatry.

To Committee on Social and Health Services.

HOUSE BILL NO. 1387, by Representatives Perry, Charnley, Kraabel and Berentson:

AN ACT Relating to cities and metropolitan municipal corporations; and amending section 2, chapter 111, Laws of 1965 ex. sess. as last amended by section 2, chapter 255, Laws of 1969 ex. sess. and RCW 35.95.020.

To Committee on Local Government.

HOUSE BILL NO. 1388, by Representative Van Dyk:

AN ACT Relating to food; amending section 1, chapter 112, Laws of 1973 1st ex. sess. and RCW 69.04.900; amending section 2, chapter 112, Laws of 1973 1st ex. sess. and RCW 69.04.905; and declaring an emergency.

To Committee on Agriculture.

HOUSE BILL NO. 1389, by Representatives Perry, Charnley, Kraabel and Berentson:

AN ACT Relating to metropolitan municipal corporations; and amending section 35.38.030, chapter 7, Laws of 1965 and RCW 35.58.030.

To Committee on Local Government.

HOUSE BILL NO. 1390, by Representative Parker:

AN ACT Relating to the public safety, health, and welfare; and amending section 38, chapter 155, Laws of 1965 ex. sess. as amended by section 1, chapter 38, Laws of 1972 ex. sess. and RCW 46.01.255.

To Committee on Social and Health Services.

HOUSE BILL NO. 1391, by Representatives O'Brien, Hoggins, Charnley and Hurley:

AN ACT Relating to water pollution; adding new sections to chapter 90.48 RCW; and providing penalties.

To Committee on Ecology.

HOUSE BILL NO. 1392, by Representatives King and Brown:

AN ACT Relating to elections.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1393, by Representatives O'Brien, Douthwaite, Lysen, Thompson, Zimmerman, Eng and Maxie:

AN ACT Relating to Puget Sound airports and marine ports; providing for the creation of a corporate operating, controlling, and ownership authority for specified airports and specified marine ports in a prescribed geographical area, including two or more cities and towns and all or part of one or more counties; and adding a new chapter to Title 53 RCW.

To Committee on Local Government.

HOUSE BILL NO. 1394, by Representatives Douthwaite, Ceccarelli and Charnley:

AN ACT Relating to trails; and amending section 2, chapter 103, Laws of 1972 ex. sess. and RCW 47.30.030.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1395, by Representatives Clemente, Bender, Fortson and Gaines:

AN ACT Relating to motor vehicles; amending section 3, chapter 100, Laws of 1970 ex. sess. and RCW 46.04.416; amending section 1, chapter 20, Laws of 1967 ex. sess. as last amended by section 1, chapter 126, Laws of 1971 ex. sess. and RCW 46.20.440; and adding a new section to chapter 46.61 RCW.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1396, by Representative Shinpoch:

AN ACT Relating to cities; and amending section 2, chapter 137, Laws of 1972 ex. sess. and RCW 35.43.250.

To Committee on Local Government.

HOUSE BILL NO. 1397, by Representatives Julin, Knowles and Charette:

AN ACT Relating to attorney's fees and costs; and adding a new section to chapter 4.84 RCW.

To Committee on Judiciary.

HOUSE BILL NO. 1398, by Representative Ceccarelli:

AN ACT Relating to legislators, the state legislature and to the number of senators and representatives in the state legislature.

To Committee on Agriculture.

HOUSE BILL NO. 1399, by Representatives Shinpoch, Kopet, Bagnariol and Gaines:

AN ACT Relating to gambling; amending section 4, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.040; amending section 6, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.060; amending section 7, chapter 218, Laws of 1973 1st ex. sess. as amended by section 4, chapter 41, Laws of 1973 2nd ex. sess. and RCW 9.46.070; amending section 10, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.100; making an appropriation; and prescribing an effective date.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1400, by Representatives Charnley and Brown:

AN ACT Relating to essential utility services; adding new sections to chapter 80.28 RCW; providing penalties; and declaring an emergency.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1401, by Representatives Adams, Parker, Freeman, Matthews, Fortson, Ellis and Hendricks:

AN ACT Relating to public assistance; and amending section 74.09.120, chapter 26, Laws of 1959 as amended by section 1, chapter 30, Laws of 1967 ex. sess. and RCW 74.09.120.

To Committee on Social and Health Services.

HOUSE BILL NO. 1402, by Representatives Perry, Garrett and Laughlin:

AN ACT Relating to oil refineries; creating a new chapter in Title 78 RCW; creating new sections; defining

crimes; prescribing penalties; and providing for a referendum to the people.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1403, by Representatives Parker, Sommers, Blair, Adams, Paris and Matthews:

AN ACT Relating to health; providing for the advertising and posting of prescription drug prices; adding new sections to chapter 18.64 RCW; making an appropriation; and providing penalties.

To Committee on Social and Health Services.

HOUSE BILL NO. 1404, by Representatives Ceccarelli and Pardini:

AN ACT Relating to banks and trust companies; amending section 30.12.010, chapter 33, Laws of 1955 as last amended by section 8, chapter 136, Laws of 1969 and RCW 30.12.010; and declaring an emergency.

To Committee on Financial Institutions.

HOUSE BILL NO. 1405, by Representatives Van Dyk, Goltz, Moon, Charnley and Perry:

AN ACT Relating to Western Washington state college; and making an appropriation.

To Committee on Higher Education.

HOUSE BILL NO. 1406, by Representative May:

AN ACT Relating to the industrial insurance act and occupational classification thereunder.

To Committee on Labor.

HOUSE BILL NO. 1407, by Representatives Sommers and Randall:

AN ACT Relating to revenue and taxation; amending section 83.08.020, chapter 15, Laws of 1961 and RCW 83.08.020; and amending section 83.56.040, chapter 15, Laws of 1961 and RCW 83.56.040.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1408, by Representatives Hansey, Martinis, Berentson and Schumaker:

AN ACT Relating to the department of natural resources; amending section 1, chapter 97, Laws of 1945 and RCW 76.20.010; amending section 3, chapter 97, Laws of 1945 and RCW 76.20.030; adding a new section to chapter 97, Laws of 1945 and to chapter 76.20 RCW; and declaring an emergency.

To Committee on Natural Resources.

HOUSE BILL NO. 1409, by Representative Morrison:

AN ACT Relating to unemployment compensation; amending section 78, chapter 35, Laws of 1945 as amended by section 6, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.20.100; amending section 73, chapter 35, Laws of 1945 as last amended by section 21, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.050; and adding a new section to chapter 50.20 RCW.

To Committee on Labor.

HOUSE BILL NO. 1410, by Representative Morrison:

AN ACT Relating to unemployment compensation.

To Committee on Labor.

HOUSE BILL NO. 1411, by Representative Morrison:

AN ACT Relating to lobbyist and lobbyist employer reporting.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1412, by Representatives Williams, Polk, Thompson, Zimmerman, Haussler and Kraabel (by Executive request):

AN ACT Relating to community development; amending section 1, chapter 14, Laws of 1965 as amended by section 1, chapter 177, Laws of 1971 ex. sess., and RCW 36.32.410; amending section 3, chapter 177, Laws of 1971 ex. sess. and RCW 35.21.680; amending section 4, chapter 177, Laws of 1971 ex. sess. and RCW 35A.11.060; adding a new chapter to Title 43 RCW; adding a new section to chapter 41.06 RCW; repealing section 1, chapter 74, Laws of 1967 and RCW 43.63A.010; repealing section 2, chapter 74, Laws of 1967 and RCW 43.63A.020; repealing section 4, chapter 74, Laws of 1967 and RCW 43.63A.040; repealing section 5, chapter 74, Laws of 1967 and RCW 43.63A.050; repealing section 6, chapter 74, Laws of 1967 and RCW 43.63A.060; repealing section 7, chapter

74, Laws of 1967 and RCW 43.63A.070; repealing section 9, chapter 74, Laws of 1967 and RCW 43.63A.090; repealing section 12, chapter 74, Laws of 1967 and RCW 43.63A.120; and declaring and emergency.

To Committee on State Government.

HOUSE BILL NO. 1413, by Representatives Perry, Charnley and Rabel:

AN ACT Relating to taxation of motor vehicles based on weight and horsepower; amending section 2, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.040; creating a new chapter in Title 46 RCW; providing penalties; and prescribing an effective date.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1414, by Representatives Douthwaite, Williams, Charnley and Gaines:

AN ACT Relating to cities and towns; and adding a new section to chapter 35.86A RCW.

To Committee on Local Government.

HOUSE BILL NO. 1415, by Representative Sommers:

AN ACT Relating to revenue and taxation; and creating new sections.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1416, by Representative Wojahn:

AN ACT Relating to gambling.

To Committee on Commerce.

HOUSE BILL NO. 1417, by Representatives Randall and Sommers:

AN ACT Relating to county assessors.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1418, by Representatives Perry, Kraabel, Smith, Bluechel, Berentson, Eng, Gaines and Maxie:

AN ACT Relating to the department of general administration; granting preference in purchasing to products of small business; amending section 43.19.1911, chapter 8, Laws of 1965 and RCW 43.19.1911;

and adding a new section to chapter 43.19 RCW.

To Committee on Commerce.

HOUSE BILL NO. 1419, by Representative Thompson:

AN ACT Relating to elected officials salaries.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1420, by Representatives Clemente, Kopet and Luders (by Superintendent of Public Instruction request):

AN ACT Relating to apportionment of state funds to school districts; and amending section 15, chapter 15, Laws of 1970 ex. sess. as amended by section 1, chapter 146, Laws of 1972 ex. sess. and RCW 28A.48.010.

To Committee on Education.

HOUSE BILL NO. 1421, by Representative King:

AN ACT Relating to voter registration.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1422, by Representatives Douthwaite, Rabel, Kraabel and Blair:

AN ACT Relating to airports; adding a new section to chapter 165, Laws of 1947 and to chapter 14.04 RCW; and declaring an emergency.

To Committee on Local Government.

HOUSE BILL NO. 1423, by Representatives Perry, Kraabel and Beck:

AN ACT Relating to motor vehicle fuel excise taxes; amending section 20, chapter 47, Laws of 1971 ex. sess. as amended by section 13, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.150; amending section 21, chapter 47, Laws of 1971 ex. sess. as amended by section 14, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.160; and amending section 22, chapter 47, Laws of 1971 ex. sess. as amended by section 15, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.170.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1424, by Representatives Matthews, Parker, Freeman, Adams, Ellis and Hendricks:

AN ACT Relating to vendor rates; and amending section 2, chapter 203, Laws of 1969 ex. sess. and RCW 74.32.110.

To Committee on Social and Health Services.

HOUSE BILL NO. 1425, by Representative Pullen:

AN ACT Relating to special election for the creation and organization of a new county; and adding a new chapter to Title 36 RCW.

To Committee on Local Government.

HOUSE BILL NO. 1426, by Representative Wojahn:

AN ACT Relating to gambling.

To Committee on Commerce.

HOUSE BILL NO. 1427, by Representatives Conner, Thompson and Charette:

AN ACT Relating to industrial insurance; and amending section 28, chapter 289, Laws of 1971 ex. sess. and RCW 51.14.030.

To Committee on Labor.

HOUSE BILL NO. 1428, by Representatives Polk, Williams and North (Lois):

AN ACT Relating to public buildings; adding a new section to chapter 43.17 RCW; adding a new section to chapter 43.19 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28A.58 RCW; and creating a new section.

To Committee on State Government.

HOUSE BILL NO. 1429, by Representatives Parker, Honan and Adams:

AN ACT Relating to counties; amending section 14, chapter 72, Laws of 1967 and RCW 36.94.140; amending section 15, chapter 72, Laws of 1967 and RCW 36.94.150; amending section 20, chapter 72, Laws of 1967 and RCW 36.94.200; amending section 22, chapter 72, Laws of 1967 as amended by section 9, chapter 96, Laws of 1971 ex. sess. and RCW 36.94.220; amending section 23, chapter 72, Laws of 1967 as amended by section 10, chapter 96, Laws of 1971 ex. sess. and RCW 36.94.230;



amending section 24, chapter 72, Laws of 1967 as amended by section 11, chapter 96, Laws of 1971 ex. sess. and RCW 36.94.240; amending section 27, chapter 72, Laws of 1967 and RCW 36.94.270; and adding new sections to chapter 36.94 RCW.

To Committee on Local Government.

HOUSE BILL NO. 1430, by Representative Sommers:

AN ACT Relating to revenue and taxation; and creating new sections.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1431, by Representatives Berentson, Van Dyk and Hansey:

AN ACT Relating to the Northern State Hospital; and creating new sections.

To Committee on State Government.

HOUSE BILL NO. 1432, by Representative Parker:

AN ACT Relating to health.

To Committee on Social and Health Services.

HOUSE BILL NO. 1433, by Representative Parker:

AN ACT Relating to podiatry.

To Committee on Social and Health Services.

HOUSE BILL NO. 1434, by Representatives Parker, Honan, Adams and North (Frances):

AN ACT Relating to local improvement districts; amending section 35.49.020, chapter 7, Laws of 1965 as amended by section 14, chapter 258, Laws of 1969 ex. sess. and RCW 35.49.020.

To Committee on Local Government.

HOUSE BILL NO. 1435, by Representative Parker:

AN ACT Relating to optometry.

To Committee on Social and Health Services.

HOUSE BILL NO. 1436, by Representative Lysen:

AN ACT Relating to motor vehicle fuel taxes; and amending section 82.36.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 160, Laws of 1973 1st ex. sess. and RCW 82.36.020.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1437, by Representatives Goltz, Bagnariol, Kopet and Gaines:

AN ACT Relating to state institutions of higher education; amending section 10, chapter 36, Laws of 1969 ex. sess. as last amended by section 2, chapter 75, Laws of 1973 1st ex. sess. and RCW 28B.16.100; amending section 11, chapter 36, Laws of 1969 ex. sess. and RCW 28B.16.110; and creating a new section.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1438, by Representatives Randall and Smith:

AN ACT Relating to health and welfare; creating a new section; and adding a new section to chapter 43.20A RCW.

To Committee on Social and Health Services.

HOUSE BILL NO. 1439, by Representatives Savage, Kilbury and Fortson:

AN ACT Relating to reimbursement to counties for court costs resulting from escapes from state institutions; and making appropriations.

To Committee on Local Government.

HOUSE BILL NO. 1440, by Representatives Bluechel, Hansen and Flanagan:

AN ACT Relating to general provisions of the revised code of Washington; designating an official state gem; and adding a new section to chapter 1.20 RCW.

To Committee on State Government.

HOUSE BILL NO. 1441, by Representatives Berentson, Van Dyk and Hansey:

AN ACT Relating to public utilities; and amending section 2, chapter 159, Laws of 1967 as amended by section 2, chapter 7, Laws of 1973 1st ex. sess. and RCW

54.44.020.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1442, by Representative Ceccarelli:

AN ACT Relating to the legislature.

To Committee on Rules.

HOUSE BILL NO. 1443, by Representatives Williams, Lysen and Kraabel:

AN ACT Relating to state government; establishing selection procedures and competitive negotiation procedures for persons, firms or corporations providing specified types of professional services to the state, its departments or agencies; specifying penalties for violations of such procedures; and providing an effective date.

To Committee on State Government.

HOUSE BILL NO. 1444, by Representatives Perry, Smith and Thompson:

AN ACT Relating to the Washington public employees' retirement system; amending section 1, chapter 274, Laws of 1947 as last amended by section 2, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.010; and amending section 13, chapter 274, Laws of 1947 as last amended by section 5, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.120.

To Committee on Labor.

HOUSE BILL NO. 1445, by Representatives Savage, Douthwaite and Thompson:

AN ACT Relating to candidacy for public office; amending section 29.18.030, chapter 9, Laws of 1965 as amended by section 1, chapter 103, Laws of 1965 ex. sess. and RCW 29.18.030; and repealing section 16, chapter 254, Laws of 1951 and RCW 9.81.100.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1446, by Representatives North (Lois) and Smith:

AN ACT Relating to homesteads; amending section 25, chapter 64, Laws of 1895 as last amended by section 11, chapter 154, Laws of 1973 1st ex. sess. and RCW 6.12.290; and amending section 2, chapter 57, Laws of 1897 as last

amended by section 12, chapter 154, Laws of 1973 1st ex. sess. and RCW 6.16.010.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1447, by Representatives Douthwaite, Barnes, Charnley, Zimmerman and Goltz:

AN ACT Relating to size, weight, and load of motor vehicles; amending section 62, chapter 145, Laws of 1967 ex. sess. and RCW 46.44.038; and declaring an emergency.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1448, by Representatives King and Valle:

AN ACT Relating to fair campaign practices.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1449, by Representative Pardini:

AN ACT Relating to financial institutions; providing for establishment of limited service branches for mutual savings banks and savings and loan institutions; adding new sections to chapter 32.04 RCW; and adding new sections to chapter 33.08 RCW.

To Committee on Financial Institutions.

HOUSE BILL NO. 1450, by Representatives King and Brown:

AN ACT Relating to legislative reform.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1451, by Representatives Parker and Polk:

AN ACT Relating to the militia and national guard; and adding a new section to chapter 38.40 RCW.

To Committee on State Government.

HOUSE BILL NO. 1452, by Representative Kuehnle:

AN ACT Relating to pensions.

To Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1453, by Representative King:

AN ACT Relating to the operation of motor vehicles; and adding new sections to chapter 46.61 RCW.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1454, by Representative King:

AN ACT Relating to legislative reform.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1455, by Representatives Sommers, Blair and Douthwaite:

AN ACT Relating to public entities, including first class cities and public corporations, commissions or authorities; expanding the scope of permissible municipal activities; authorizing agreements to implement certain municipal programs through private and public agencies; increasing the powers of certain public corporations, commissions or authorities, to perform municipal functions and community services; amending section 7, chapter 177, Laws of 1971 ex. sess. and RCW 35.21.670; creating new sections; and adding new sections to chapter 35.22 RCW.

To Committee on Local Government.

HOUSE BILL NO. 1456, by Representatives Eikenberry, May and Benitz:

AN ACT Relating to costs in civil actions; and adding a new section to chapter 4.84 RCW.

To Committee on Judiciary.

HOUSE BILL NO. 1457, by Representatives Berentson, Van Dyk, Hansey and North (Frances):

AN ACT Relating to the sale of surplus real property owned by the state; and adding a new section to chapter 43.19 RCW.

To Committee on State Government.

HOUSE BILL NO. 1458, by Representative Erickson:

AN ACT Relating to revenue and taxation.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1459, by Representatives Gilleland, Charnley and Beck:

AN ACT Relating to motor vehicles; adding a new section to chapter 46.61 RCW; providing penalties; declaring an emergency; and providing an expiration date.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1460, by Representatives Ceccarelli and Pardini (by Department of Social and Health Services request):

AN ACT Relating to actions against the state, its officers, employees and agents; amending section 1, chapter 79, Laws of 1921 and RCW 4.92.060; amending section 2, chapter 79, Laws of 1921 and RCW 4.92.070; amending section 1, chapter 136, Laws of 1961 as amended by section 2, chapter 159, Laws of 1963 and RCW 4.92.090; amending section 7, chapter 159, Laws of 1963 as amended by section 1, chapter 140, Laws of 1969 and RCW 4.92.130; amending section 8, chapter 159, Laws of 1963 and RCW 4.92.140; amending section 9, chapter 159, Laws of 1963 and RCW 4.92.150; amending section 10, chapter 159, Laws of 1963 as amended by section 2, chapter 140, Laws of 1969 and RCW 4.92.160; and amending section 11, chapter 159, Laws of 1963 as amended by section 3, chapter 140, Laws of 1969 and RCW 4.92.170.

To Committee on Social and Health Services.

HOUSE BILL NO. 1461, by Representatives Ceccarelli and Leckenby (by Department of Social and Health Services request):

AN ACT Relating to industrial insurance; and amending section 1, chapter ... (H.B. No. ...), Laws of 1974 1st ex. sess. and RCW 51.32.040.

To Committee on Social and Health Services.

HOUSE BILL NO. 1462, by Representative King:

AN ACT Relating to campaign contributions.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1463, by Representatives Perry, Charnley, Kraabel, Berentson and Hayner (by Superintendent of Public Instruction request):

AN ACT Relating to education; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter

28A.24 RCW.

To Committee on Education.

HOUSE BILL NO. 1464, by Representatives Hoggins, May, Pardini, Kishimoto, Bauer and Randall:

AN ACT Relating to excise taxes; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1971 ex. sess. and RCW 82.08.030; and amending section 32, chapter 180, Laws of 1935 as last amended by section 10, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.030.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1465, by Representatives Fortson, Hansen, Ellis and North (Frances):

AN ACT Relating to motor vehicles; amending section 46.16.060, chapter 12, Laws of 1961 as last amended by section 3, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.060; amending section 82.44.060, chapter 15, Laws of 1961 as amended by section 4, chapter 199, Laws of 1963 and RCW 82.44.060; and declaring an emergency.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1466, by Representatives Ellis and Fortson:

AN ACT Relating to elections; and amending section 29.42.050, chapter 9, Laws of 1965 as last amended by section 7, chapter 4, Laws of 1973 and RCW 29.42.050.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1467, by Representatives Smith, Randall and Nelson:

AN ACT Relating to the duties of the department of fisheries; and amending section 3, chapter 112, Laws of 1949 and RCW 75.08.012.

To Committee on Natural Resources.

HOUSE BILL NO. 1468, by Representatives Ellis and Fortson:

AN ACT Relating to elections; and adding a new section to chapter 29.45 RCW.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1469, by Representatives North (Frances), Nelson, Smith, Hoggins, Ceccarelli and Fortson:

AN ACT Relating to animals; amending section 17, chapter 146, Laws of 1901 and RCW 16.52.010; amending section 2, chapter 146, Laws of 1901 and RCW 16.52.030; amending section 14, chapter 146, Laws of 1901 and RCW 16.52.040; amending section 3, chapter 146, Laws of 1901 and RCW 16.52.055; amending section 8, chapter 27, Laws of 1893 and RCW 16.52.065; amending section 4, chapter 146, Laws of 1901 and RCW 16.52.070; amending section 5, chapter 146, Laws of 1901 and RCW 16.52.080; amending section 6, chapter 146, Laws of 1901 and RCW 16.52.090, amending section 12, chapter 146, Laws of 1901 and RCW 16.52.100; amending section 7, chapter 146, Laws of 1901 and RCW 16.52.120; amending section 8, chapter 146, Laws of 1901 and RCW 16.52.130; amending section 11, chapter 146, Laws of 1901 and RCW 16.52.140; amending section 9, chapter 146, Laws of 1901 and RCW 16.52.160; amending section 18, chapter 146, Laws of 1901 and RCW 16.52.180; amending section 1, chapter 105, Laws of 1941 and RCW 16.52.190; adding new sections to chapter 146, Laws of 1901 and to chapter 16.52 RCW; repealing section 1, page 103, Laws of 1871, section 840, Code of 1881 and RCW 16.52.095; repealing section 13, chapter 146, Laws of 1901 and RCW 16.52.110; repealing section 16, chapter 146, Laws of 1901 and RCW 16.52.165; and prescribing penalties.

To Committee on Agriculture.

HOUSE BILL NO. 1470, by Representative Smith:

AN ACT Relating to cities; amending section 35.02.010, chapter 7, Laws of 1965 as amended by section 1, chapter 48, Laws of 1969 and RCW 35.02.010.

To Committee on Local Government.

HOUSE BILL NO. 1471, by Representatives Smith, Luders, Kraabel and Tilly:

AN ACT Relating to sales tax upon returnable beverage bottles; adding a new section to chapter 15, Laws of 1961 and to chapter 82.08 RCW; and prescribing an effective date.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1472, by Representative King:

AN ACT Relating to the disclosure of governmental operations, including the elective process.

To Committee on Constitution and Elections.



HOUSE BILL NO. 1473, by Representative King:

AN ACT Relating to elections.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1474, by Representative Lysen:

AN ACT Relating to urban area transportation; amending section 14, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.080; and adding a new section to chapter 83, Laws of 1967 ex. sess. and to chapter 47.26 RCW.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1475, by Representatives Goltz, Perry and Blair:

AN ACT Relating to the right of privacy; and adding a new chapter to Title 9 RCW.

To Committee on Judiciary.

HOUSE BILL NO. 1476, by Representatives Tilly, Barnes and Kalich:

AN ACT Relating to financial disclosure by elected officials; and amending section 24, chapter 1, Laws of 1973 and RCW 42.17.240.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1477, by Representatives Leckenby, Hansen, Flanagan, Schumaker and Hayner:

AN ACT Relating to jitneys; adding a new chapter to Title 46 RCW; and prescribing penalties.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1478, by Representatives Hoggins, Paris, O'Brien, Ceccarelli, Curtis, Amen, Juelling, Zimmerman, Eng, Conner, Leckenby, Chatalas, Maxie, Honan, Pullen, Hayner, Flanagan, Hurley, Bauer and Matthews:

AN ACT Relating to charitable solicitations; and amending section 3, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.030.

To Committee on Judiciary.

HOUSE BILL NO. 1479, by Representatives Kuehnle, North (Frances), Bausch, Morrison, Kishimoto, Pullen, Hayner, Honan, Zimmerman, Pardini, Barnes, Kraabel, Benitz, Freeman, Paris, Kopet, Blair, Shinpoch, Curtis, Erickson, Gaines and Patterson:

AN ACT Relating to the Washington Public Employees' Retirement System; amending section 5, chapter 151, Laws of 1972 ex. sess. as amended by section 8, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.185; amending section 20, chapter 274, Laws of 1947 as last amended by section 9, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.190; amending section 34, chapter 274, Laws of 1947 as last amended by section 12, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.330; amending section 4, chapter 231, Laws of 1957 as last amended by section 13, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.361; and creating a new section.

To Committee on State Government.

HOUSE BILL No. 1480, by Representatives Kuehnle, North (Frances), Bausch, Morrison, Kishimoto, Paris, Pullen, Patterson, Kraabel, Benitz, Freeman, Kopet, Shinpoch, Curtis, Hayner, Honan, Pardini, Zimmerman, Erickson and Gaines:

AN ACT Relating to the Washington State Teachers' Retirement System; amending section 1, chapter 80, Laws of 1947 as last amended by section 95, chapter 176, Laws of 1969 ex. sess. and RCW 41.32.010; amending section 26, chapter 80, Laws of 1947 as last amended by section 1, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.260; amending section 16, chapter 14, Laws of 1963 ex. sess. as last amended by section 2, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.497; amending section 3, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.498; repealing section 4, chapter 189, Laws of 1973 1st ex. sess. (uncodified); repealing section 5, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.4944; creating new sections; and declaring an emergency.

To Committee on State Government.

HOUSE BILL NO. 1481, by Representatives Bausch and Ehlers:

AN ACT Relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1971 ex. sess. and RCW 82.08.030; and amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.030.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1482, by Representatives Bausch, Clemente and Bender:

AN ACT Relating to the state plan for vocational education; and amending section 28B.50.230, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.230.

To Committee on Higher Education.

HOUSE BILL NO. 1483, by Representatives Beck, Morrison and Berentson:

AN ACT Relating to highway beautification; declaring the policy of the state of Washington with respect thereto; directing the department of highways to provide a plan for attaining certain goals; and creating new sections.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1484, by Representatives Gallagher, Erickson, Ehlers, Gaspard, Adams and Gaines:

AN ACT Relating to the powers of counties and cities to engage in or provide for joint governmental activities; repealing section 1, chapter 84, Laws of 1965 ex. sess. and RCW 36.64.080; repealing section 2, chapter 84, Laws of 1965 ex. sess. and RCW 36.64.090; repealing section 3, chapter 84, Laws of 1965 ex. sess. and RCW 36.64.100; and repealing section 4, chapter 84, Laws of 1965 ex. sess. and RCW 36.64.110.

To Committee on Local Government.

HOUSE BILL NO. 1485, by Representatives King and Valle:

AN ACT Relating to political advertising.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1486, by Representatives King, Bagnariol, Gallagher, Wojahn and Sommers:

AN ACT Relating to revenue and taxation; amending section 4, chapter 288, Laws of 1971 ex. sess. as last amended by section 1, chapter 98, Laws of 1973 1st ex. sess. and RCW 84.36.370; and declaring an emergency.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1487, by Representatives Douthwaite and Rabel:

AN ACT Relating to higher education; and amending section 4, chapter 273, Laws of 1971 ex. sess. and RCW

28B.15.014.

To Committee on Higher Education.

HOUSE BILL NO. 1488, by Representatives Douthwaite and Rabel:

AN ACT Relating to higher education; and amending section 4, chapter 273, Laws of 1971 ex. sess. and RCW 28B.15.014.

To Committee on Higher Education.

HOUSE BILL NO. 1489, by Representatives Freeman, Nelson, Hayner, Gilleland, Polk, Curtis, Matthews and Rabel:

AN ACT Relating to unemployment compensation; amending section 19, chapter 2, Laws of 1970 ex. sess. as last amended by section 2, chapter 7, Laws of 1973 2nd ex. sess. and RCW 50.04.323; amending section 4, chapter 35, Laws of 1945 as last amended by section 1, chapter 73, Laws of 1973 and RCW 50.04.030; amending section 78, chapter 35, Laws of 1945 as amended by section 6, chapter 158, Laws of 1973 1st ex. sess. and RCW 50.20.100; amending section 73, chapter 35, Laws of 1945 as last amended by section 21, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.050; amending section 80, chapter 35, Laws of 1945 as last amended by section 5, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.120; and adding a new section to chapter 50.40 RCW.

To Committee on Labor.

HOUSE BILL NO. 1490, by Representatives Freeman, Bauer, Eikenberry, Ellis, Patterson, Ehlers, Brown, Kuehnle, Hendricks, Garrett, Schumaker, Kraabel, Polk, Barnes, Leckenby, Zimmerman, Matthews, Kishimoto, Wilson, Amen, Tilly, Hansey, Berentson, Gilleland, Kopet, Hoggins, Pullen, Kelley, Cunningham, Honan, Juelling, Laughlin, Morrison, North (Lois) and Rabel:

AN ACT Providing for the support of the common schools; making an appropriation; and declaring an emergency.

To Committee on Education.

HOUSE BILL NO. 1491, by Representatives Valle, Gilleland and Warnke:

AN ACT Relating to electric service area agreements; avoiding duplication of electric lines and services and service area agreements by public utilities and cooperatives; and adding a new section to chapter 102,

Laws of 1969 and to chapter 54.48 RCW.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1492, by Representative Gaines:

AN ACT Relating to motor vehicle driver's licenses; amending section 10, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.080; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 1, chapter 284, Laws of 1971 and RCW 46.61.515; and adding a new section to chapter 46.65 RCW.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1493, by Representatives Patterson, Thompson, Morrison, Rabel, Amen and Berentson:

AN ACT Relating to ad valorem taxation; and adding a new section to chapter 84.36 RCW.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1494, by Representatives O'Brien, Perry, Wojahn, Ceccarelli, Bagnariol, Pardini, Thompson, Gallagher, Bauer, Chatalas, Eng, Hurley, Maxie, May, McCormick, Van Dyk and Warnke:

AN ACT Relating to education; and amending section 4, chapter 217, Laws of 1969 ex. sess. as amended by section 1, chapter 14, Laws of 1972 ex. sess. and RCW 28A.41.145.

To Committee on Education.

HOUSE BILL NO. 1495, by Representative Randall:

AN ACT Relating to assessment levels and appeals rights and procedures.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1496, by Representative Haussler:

AN ACT Relating to superior courts; amending section 7, chapter 125, Laws of 1951 as last amended by section 3, chapter 27, Laws of 1973 1st ex. sess. and RCW 2.08.065; and creating a new section.

To Committee on Judiciary.

HOUSE BILL NO. 1497, by Representative Lysen:

AN ACT Relating to nonrecyclable infant hygiene wear; adding new sections to chapter 70.95 RCW; defining crimes; prescribing penalties; prescribing an effective date; and declaring an emergency.

To Committee on Social and Health Services.

HOUSE BILL NO. 1498, by Representatives Wojahn, Curtis, Smith, Erickson, Hendricks, Conner, Adams and McCormick:

AN ACT Relating to special rights of action; and adding a new section to chapter 4.24 RCW.

To Committee on Judiciary.

HOUSE BILL NO. 1499, by Representative Gaines:

AN ACT Relating to installment sale transactions; adding a new section to chapter 63.14 RCW; and adding new sections to chapter 19.52 RCW.

To Committee on Commerce.

HOUSE BILL NO. 1500, by Representatives Randall and Haussler:

AN ACT Relating to revenue and taxation; amending section 7, chapter 294, Laws of 1971 ex. sess. as amended by section 1, chapter 148, Laws of 1972 ex. sess. and RCW 82.04.291; amending section 5, chapter 294, Laws of 1971 ex. sess. as last amended by section 90, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.33.050; amending section 8, chapter 294, Laws of 1971 ex. sess. as last amended by section 92, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.33.080; amending section 12, chapter 294, Laws of 1971 ex. sess. as amended by section 5, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.120; amending section 13, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.130; amending section 14, chapter 294, Laws of 1971 ex. sess. as last amended by section 93, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.33.140; amending section 10, chapter 146, Laws of 1967 ex. sess. as last amended by section 1, chapter 125, Laws of 1972 ex. sess. and RCW 84.40.045; adding new sections to chapter 294, Laws of 1971 ex. sess. and to chapter 84.33 RCW; and declaring an emergency.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1501, by Representatives Nelson, Wojahn, Kuehnle, Paris, Smith, Pardini, Hayner and Matthews:

AN ACT Relating to charitable solicitations; adding a new section to chapter 13, Laws of 1973 1st ex. sess. and to chapter 19.09 RCW; and declaring an emergency.

To Committee on Judiciary.

HOUSE BILL NO. 1502, by Representatives Blair, Parker, Paris, Savage, Brown, Charnley, Cunningham, Kishimoto, Conner, North (Lois), Zimmerman and Goltz:

AN ACT Relating to wage claims; establishing a wage claim fund; providing claims procedures; imposing an employer assessment; and adding a new chapter to Title 49 RCW.

To Committee on Labor.

HOUSE BILL NO. 1503, by Representative Kelley:

AN ACT Relating to prosecuting attorneys; amending section 5, chapter 126, Laws of 1921 as amended by section 13, chapter 31, Laws of 1971 and RCW 2.48.200; amending section 36.17.020, chapter 4, Laws of 1963 as last amended by section 2, chapter 88, Laws of 1973 1st ex. sess. and RCW 36.17.020; amending section 36.27.020, chapter 4, Laws of 1963 and RCW 36.27.020; amending section 36.27.040, chapter 4, Laws of 1963 and RCW 36.27.040; adding a new section to chapter 4, Laws of 1963 and to chapter 36.27 RCW; creating new sections; and making an appropriation.

To Committee on Judiciary.

HOUSE BILL NO. 1504, by Representatives Adams and Parker:

AN ACT Relating to health.

To Committee on Social and Health Services.

HOUSE BILL NO. 1505, by Representatives Haussler, Newhouse and Conner (by Department of Revenue request):

AN ACT Relating to revenue and taxation; amending section 82.24.020, chapter 15, Laws of 1961 as last amended by section 3, chapter 157, Laws of 1972 ex. sess. and RCW 82.24.020; amending section 82.24.040, chapter 15, Laws of 1961 as last amended by section 1, chapter 214, Laws of 1969 ex. sess. and RCW 82.24.040; amending section 82.24.050, chapter 15, Laws of 1961 as last amended by section 2, chapter 214, Laws of 1969 ex. sess. and RCW 82.24.050; amending section 82.24.070, chapter 15, Laws of 1961 as last amended by section 14, chapter 299, Laws of 1971 ex. sess. and RCW 82.24.070; amending

section 82.24.080, chapter 15, Laws of 1961 as amended by section 4, chapter 157, Laws of 1972 ex. sess. and RCW 82.24.080; amending section 28A.47.440, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 157, Laws of 1972 ex. sess. and RCW 28A.47.440; amending section 1, chapter 41, Laws of 1973 and RCW 73.32.130; repealing section 7, chapter 157, Laws of 1972 ex. sess. and RCW 82.24.260; adding a new section to chapter 15, Laws of 1961 and to chapter 82.24 RCW; creating new sections; and declaring an emergency.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1506, by Representative Bausch:

AN ACT Relating to delinquent traffic fines and penalties; providing for the collection thereof; and adding a new section to Title 46 RCW.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1507, by Representatives Van Dyk, Kopet and Shinpoch:

AN ACT Relating to thermal sitings; and amending section 7, chapter 45, Laws of 1970 ex. sess. and RCW 80.50.070.

To Committee on State Government.

HOUSE BILL NO. 1508, by Representatives Blair, Parker, Kraabel, Luders, Wojahn and Erickson:

AN ACT Relating to insurance; amending section 2, chapter 183, Laws of 1949 as last amended by section 3, chapter 214, Laws of 1973 1st ex. sess. and RCW 49.60.030; and amending section 6, chapter 141, Laws of 1973 and RCW 49.60.178.

To Committee on Financial Institutions.

HOUSE BILL NO. 1509, by Representatives Eng, Charette, Kuehnle and Maxie:

AN ACT Relating to gambling; amending section 1, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.010; amending section 2, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.020; amending section 3, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.030; and amending section 7, chapter 218, Laws of 1973 1st ex. sess. as amended by section 4, chapter 41, Laws of 1973 2nd ex. sess. and RCW 9.46.070.

To Committee on Commerce.



HOUSE BILL NO. 1510, by Representatives Flanagan, Kilbury, Hansen, Amen, Newhouse and Van Dyk:

AN ACT Relating to sales of livestock; amending section 2-401, chapter 157, Laws of 1965 ex. sess. and RCW 62A.2-401; amending section 2-403, chapter 157, Laws of 1965 ex. sess. as amended by section 8, chapter 114, Laws of 1967 and RCW 62A.2-403; amending section 2-702, chapter 157, Laws of 1965 ex. sess. and RCW 62A.2-702; amending section 9-204, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-204.

To Committee on Agriculture.

HOUSE BILL NO. 1511, by Representatives Adams and Parker:

AN ACT Relating to employment; creating new sections; and making an appropriation.

To Committee on Social and Health Services.

HOUSE BILL NO. 1512, by Representatives King, Erickson, Ellis, Fortson, Bauer, Brown, Hendricks and Gaines:

AN ACT Relating to elections; amending section 29.21.010, chapter 9, Laws of 1965 as amended by section 7, chapter 123, Laws of 1965 and RCW 29.21.010; amending section 1, chapter 10, Laws of 1970 ex. sess. and RCW 29.21.150; amending section 29.21.160, chapter 9, Laws of 1965 and RCW 29.21.160; amending section 29.21.230, chapter 9, Laws of 1965 as last amended by section 9, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.230; amending section 35.20.150, chapter 7, Laws of 1965 and RCW 35.20.150; amending section 14, chapter 299, Laws of 1961 and RCW 3.34.050; and repealing section 29.21.170, chapter 9, Laws of 1965 and RCW 29.21.170.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1513, by Representatives Kopet and Van Dyk:

AN ACT Relating to establishing stock restricted areas; and adding a new section to chapter 16.24 RCW.

To Committee on Agriculture.

HOUSE BILL NO. 1514, by Representatives Hurley, Haussler and May:

AN ACT Relating to state government; and adding a new section to chapter 43.06 RCW,

To Committee on State Government.

HOUSE BILL NO. 1515, by Representatives Adams, Wojahn, Parker and Eng:

AN ACT Relating to health; providing for the establishment and regulation of health maintenance organizations.

To Committee on Social and Health Services.

HOUSE BILL NO. 1516, by Representatives McCormick and Luders:

AN ACT Relating to studies of sites for thermal power plants and associated transmission lines; adding new sections to chapter 45, Laws of 1970 ex. sess. and to chapter 80.50 RCW; and declaring an emergency.

To Committee on Ecology.

HOUSE BILL NO. 1517, by Representative Kopet:

AN ACT Relating to the Washington state commission on Mexican-American affairs; and adding a new section to chapter 34, Laws of 1971 ex. sess. and to chapter 43.115 RCW.

To Committee on State Government.

HOUSE BILL NO. 1518, by Representative Lysen:

AN ACT Relating to aviation.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1519, by Representatives Goltz, Polk and Barnes (by Executive request):

AN ACT Relating to higher education; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.15 RCW; repealing section 2, chapter 273, Laws of 1971 ex. sess., section 1, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.012; repealing section 28B.15.100, chapter 223, Laws of 1969 ex. sess., section 5, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.100; repealing section 28B.15.200, chapter 223, Laws of 1969 ex. sess., section 4, chapter 102, Laws of 1970 ex. sess., section 6, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.200; repealing section 28B.15.300, chapter 223, Laws of 1969 ex. sess., section 5, chapter 102, Laws of 1970 ex. sess., section 7, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.300; repealing section 28B.15.400, chapter 223, Laws of 1969 ex. sess., section 6, chapter 102, Laws of 1970 ex. sess., section 9, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.400; repealing section 28B.15.500, chapter 223, Laws of 1969 ex. sess.,

section 10, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.500; repealing section 28B.15.600, chapter 223, Laws of 1969 ex. sess., section 15, chapter 279, Laws of 1971 ex. sess., section 2, chapter 46, Laws of 1973 1st ex. sess. and RCW 28B.15.600; repealing section 22, chapter 279, Laws of 1971 ex. sess., section 3, chapter 149, Laws of 1972 ex. sess. and RCW 28B.15.620; repealing section 23, chapter 279, Laws of 1971 ex. sess. and RCW 28B.15.630; providing for certain alternative fee schedules and implementing provisions; creating new sections; and providing certain effective dates.

To Committee on Higher Education.

HOUSE BILL NO. 1520, by Representatives Conner and Eikenberry:

AN ACT Relating to usury; amending section 1, chapter 142, Laws of 1969 ex. sess. as amended by section 2, chapter 97, Laws of 1970 ex. sess. and RCW 19.52.080; and declaring an emergency.

To Committee on Financial Institutions.

HOUSE BILL NO. 1521, by Representatives Douthwaite, Eng and Blair:

AN ACT Relating to prisoners; and adding a new chapter to Title 9 RCW.

To Committee on Social and Health Services.

HOUSE BILL NO. 1522, by Representatives Wilson, Patterson and North (Lois):

AN ACT Relating to bicycles; providing penalties; and adding new sections to chapter 46.12 RCW.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1523, by Representatives Adams, Freeman, Parker and Erickson:

AN ACT Relating to health; amending section 2, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.010; amending section 3, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.020; amending section 4, chapter 198, Laws of 1971 ex. sess. and RCW 70.38.030; and adding a new section to chapter 70.38 RCW.

To Committee on Social and Health Services.

HOUSE BILL NO. 1524, by Representatives Ehlers and Erickson:

AN ACT Relating to traffic control signals; and amending section 47.36.100, chapter 13, Laws of 1961 as amended by section 38, chapter 145, Laws of 1967 ex. sess. and RCW 47.36.100.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1525, by Representatives Adams, Knowles, Freeman, Kelley, Parker, Wojahn and Matthews:

AN ACT Relating to civil commitment.

To Committee on Social and Health Services.

HOUSE BILL NO. 1526, by Representative Matthews:

AN ACT Relating to liens; amending section 1, chapter 69, Laws of 1937 and RCW 60.44.010; and amending section 2, chapter 69, Laws of 1937 and RCW 60.44.020.

To Committee on Social and Health Services.

HOUSE BILL NO. 1527, by Representatives Williams, Bender, Charnley, Clemente, Eng and Goltz:

AN ACT Relating to salaries of public officials; repealing and reenacting section 43.03.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 100, Laws of 1967 ex. sess. and section 2, Initiative Measure No. 282 and RCW 43.03.010; repealing and reenacting section 1, chapter 144, Laws of 1953 as last amended by section 2, chapter 106, Laws of 1973 and section 3, Initiative Measure No. 282 and RCW 2.04.090; repealing and reenacting section 6, chapter 221, Laws of 1969 ex. sess. as last amended by section 3, chapter 106, Laws of 1973 and section 4, Initiative Measure No. 282 and RCW 2.06.060; repealing and reenacting section 2, chapter 144, Laws of 1953 as last amended by section 3, chapter 100, Laws of 1972 ex. sess. and section 5, Initiative Measure No. 282 and RCW 2.08.090; repealing and reenacting section 100, chapter 299, Laws of 1961 as last amended by section 4, chapter 100, Laws of 1972 ex. sess. and section 6, Initiative Measure No. 282 and RCW 3.58.010; repealing section 110, chapter 137, Laws of 1973 1st ex. sess. and section 1, Initiative Measure No. 282; and declaring an emergency.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1528, by Representatives Zimmerman, Thompson, Bauer, Kishimoto, Laughlin and Paris:

AN ACT Relating to state government; amending section 43.97.020, chapter 8, Laws of 1965 and RCW 43.97.020; amending section 43.97.030, chapter 8, Laws of 1965 and RCW 43.97.030; amending section 43.97.040, chapter 8, Laws of 1965 and RCW 43.97.040; adding new sections to chapter 43.97 RCW; repealing section 43.97.050, chapter 8, Laws of 1965 and RCW 43.97.050; making an appropriation; and declaring an emergency.

To Committee on State Government.

HOUSE BILL NO. 1529, by Representative Randall:

AN ACT Relating to sales and use tax.

To Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1530, by Representatives Savage, Lysen, Goltz, Douthwaite, Ceccarelli and Charnley:

AN ACT Relating to energy; and adding a new chapter to Title 44 RCW.

To Committee on Rules.

HOUSE BILL NO. 1531, by Representatives Chatalas, Brown, Thompson, Kuehnle, O'Brien and Douthwaite:

AN ACT Relating to salaries of public officials; adding new sections to chapter 43.03 RCW; providing an effective date contingent upon amending the Constitution; and providing for a referendum to the people.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1532, by Representatives Van Dyk, Rabel, Goltz, North (Lois), Kraabel and Lysen:

AN ACT Relating to nursing homes; amending section 6, chapter 117, Laws of 1951 as last amended by section 2, chapter 247, Laws of 1971 ex. sess. and RCW 18.51.050; adding new sections to chapter 18.51 RCW; repealing section 10, chapter 117, Laws of 1951, section 6, chapter 160, Laws of 1953 and RCW 18.51.090; repealing section 13, chapter 117, Laws of 1951, section 7, chapter 160, Laws of 1953 and RCW 18.51.120; repealing section 14, chapter 117, Laws of 1951, section 8, chapter 160, Laws of 1953 and RCW 18.51.130; and prescribing penalties.

To Committee on Social and Health Services.

HOUSE BILL NO. 1533, by Representatives Williams, Bender, Charnley, Clemente, Eng and Goltz:

AN ACT Relating to salaries of public officials; repealing section 110, chapter 137, Laws of 1973 1st ex. sess.; and declaring an emergency.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1534, by Representatives Benitz and King:

AN ACT Relating to post secondary educational institutions; vesting the coordinating council for occupational education as the state agency to authorize and regulate proprietary vocational institutions and agents thereof in the state of Washington; assigning powers, duties, and responsibilities with relation to the authorization and regulation of proprietary vocational institutions and agents thereof; prescribing fees; repealing sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12 and 13, chapter 72, Laws of 1967 ex. sess. and RCW 18.82.010 through 18.82.920; repealing section 10, chapter 72, Laws of 1967 ex. sess. (uncodified); adding new sections to chapter 223, Laws of 1969 ex. sess. and to Title 28B RCW as a new chapter thereof; creating new sections; making an appropriation; providing penalties; and declaring an emergency.

To Committee on Higher Education.

HOUSE BILL NO. 1535, by Representative Paris:

AN ACT Relating to mental retardation and mental health.

To Committee on Social and Health Services.

HOUSE BILL NO. 1536, by Representative Gaines:

AN ACT Relating to game fish; and repealing section 1, chapter 17, Laws of 1969 ex. sess. and RCW 77.32.031.

To Committee on Natural Resources.

HOUSE BILL NO. 1537, by Representatives Williams and Eng:

AN ACT Relating to the salaries of elected officials; amending section 43.03.010, chapter 8, Laws of 1965 as last amended by section 2, Initiative Measure No. 282 and RCW 43.03.010; amending section 43.03.028, chapter 8, Laws of 1965 as last amended by section 2, chapter 43, Laws of 1970 ex. sess. and RCW 43.03.028; and amending section 4, chapter 43, Laws of 1970 ex. sess. and RCW 43.03.045.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1538, by Representatives Williams, Bender, Charnley, Clemente, Eng and Goltz:

AN ACT Relating to salaries of public officials; amending section 43.03.010, chapter 8, Laws of 1965 as last amended by section 2, Initiative Measure No. 282 and RCW 43.03.010; amending section 1, chapter 144, Laws of 1953 as last amended by section 3, Initiative Measure No. 282 and RCW 2.04.090; amending section 6, chapter 221, Laws of 1969 ex. sess. as last amended by section 4, Initiative Measure No. 282 and RCW 2.06.060; amending section 2, chapter 144, Laws of 1953 as last amended by section 5, Initiative Measure No. 282 and RCW 2.08.090; amending section 100, chapter 299, Laws of 1961 as last amended by section 6, Initiative Measure No. 282 and RCW 3.58.010; repealing section 110, chapter 137, Laws of 1973 1st ex. sess. and section 1, Initiative Measure No. 282; and declaring an emergency.

To Committee on Constitution and Elections.

HOUSE BILL NO. 1539, by Representative King:

AN ACT Relating to higher education; providing for a higher education employment relations act; adding new sections to chapter 223, Laws of 1969 ex. sess. and to Title 28B RCW as a new chapter thereof; and establishing an effective date.

To Committee on Labor.

HOUSE BILL NO. 1540, by Representatives Gallagher, Jastad and Gaines:

AN ACT Relating to alcoholic beverages; adding new sections to chapter 66.44 RCW; and prescribing penalties.

To Committee on Commerce.

HOUSE BILL NO. 1541, by Representatives Conner, Brown, Kopet and Erickson (by Executive request):

AN ACT Relating to school transportation; amending section 28A.24.055, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 45, Laws of 1973 and RCW 28A.24.055; amending section 28A.24.060, chapter 223, Laws of 1969 ex. sess. and RCW 28A.24.060; amending section 28A.24.100, chapter 223, Laws of 1969 ex. sess. as amended by section 10, chapter 66, Laws of 1971 ex. sess. and RCW 28A.24.100; amending section 1, chapter 78, Laws of 1971 as amended by section 2, chapter 45, Laws of 1973 and RCW 28A.24.110; amending section 3, chapter 78, Laws of 1971 and RCW 28A.24.112; amending section 28A.24.150, chapter 223, Laws of 1969 ex. sess. as last amended by section 8, chapter 48, Laws of 1971

and RCW 28A.24.150; amending section 1, chapter 24, Laws of 1971 and RCW 28A.24.170; amending section 2, chapter 24, Laws of 1971 and RCW 28A.24.172; amending section 28A.41.160, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 85, Laws of 1972 ex. sess. and RCW 28A.41.160; amending section 28A.58.225, chapter 223, Laws of 1969 ex. sess. as amended by section 141, chapter 176, Laws of 1969 ex. sess. and RCW 28A.58.225; amending section 28A.65.060, chapter 223, Laws of 1969 ex. sess. as amended by section 24, chapter 119, Laws of 1969 ex. sess. and RCW 28A.65.060; amending section 35.58.250, chapter 7, Laws of 1965 and RCW 35.58.250; amending section 46.16.020, chapter 12, Laws of 1961 as last amended by section 22, chapter 132, Laws of 1973 1st ex. sess. and RCW 46.16.020; amending section 46.16.150, chapter 12, Laws of 1961 and RCW 46.16.150; amending section 46.48.150, chapter 12, Laws of 1961 and RCW 46.61.380; amending section 46.72.010, chapter 12, Laws of 1961 and RCW 46.72.010; repealing section 2, chapter 78, Laws of 1971 and RCW 28A.24.111; and providing an effective date.

To Committee on Education.

HOUSE BILL NO. 1542, by Representatives Hendricks, Maxie, Kopet, Paris, Cunningham, Ehlers, Pardini, Gallagher, Goltz, Charnley, Eng, Hansey, Williams, Freeman and Rabel (by Executive request):

AN ACT Relating to prescription drugs; adding a new chapter to Title 18 RCW; and making an appropriation.

To Committee on Social and Health Services.

HOUSE BILL NO. 1543, by Representatives Hansey, Kopet, Polk, Eikenberry, Flanagan, Amen and Freeman (by Executive request):

AN ACT Relating to state government; transferring the state motor pool to the department of general administration; adding new sections to chapter 8, Laws of 1965 and to chapter 43.19 RCW; repealing section 43.91.010, chapter 8, Laws of 1965 and RCW 43.91.010; repealing section 43.91.020, chapter 8, Laws of 1965 and RCW 43.91.020; repealing section 43.91.030, chapter 8, Laws of 1965 and RCW 43.91.030; repealing section 43.91.040, chapter 8, Laws of 1965 and RCW 43.91.040; repealing section 43.91.050, chapter 8, Laws of 1965 and RCW 43.91.050; repealing section 43.91.060, chapter 8, Laws of 1965 and RCW 43.91.060; repealing section 43.91.070, chapter 8, Laws of 1965 and RCW 43.91.070; and repealing section 43.91.080, chapter 8, Laws of 1965 and RCW 43.91.080.

To Committee on State Government.



HOUSE BILL NO. 1544, by Representatives Bauer, Flanagan, Honan, Eng, Tilly, Hoggins, Brown and Laughlin (by Executive request):

AN ACT Relating to financing of the common school system; creating new sections; and declaring an emergency.

To Committee on Education.

HOUSE BILL NO. 1545, by Representatives Luders, Kopet and Pardini (by Executive request):

AN ACT Relating to the environment; amending section 31, chapter 62, Laws of 1970 ex. sess. and RCW 43.21B.010; amending section 35, chapter 62, Laws of 1970 ex. sess. and RCW 43.21B.050; amending section 39, chapter 62, Laws of 1970 ex. sess. and RCW 43.21B.090; amending section 40, chapter 62, Laws of 1970 ex. sess. and RCW 43.21B.100; amending section 45, chapter 62, Laws of 1970 ex. sess. and RCW 43.21B.150; amending section 46, chapter 62, Laws of 1970 ex. sess. and RCW 43.21B.160; amending section 3, chapter 109, Laws of 1971 ex. sess. and RCW 43.21C.030; amending section 2, chapter 179, Laws of 1973 1st ex. sess. and RCW 43.21C.080; amending section 3, chapter 286, Laws of 1971 ex. sess. as amended by section 1, chapter 203, Laws of 1973 1st ex. sess. and RCW 90.58.030; amending section 14, chapter 286, Laws of 1971 ex. sess. as amended by section 1, chapter 19, Laws of 1973 2nd ex. sess. and RCW 90.58.140; amending section 18, chapter 286, Laws of 1971 ex. sess. as amended by section 2, chapter 203, Laws of 1973 1st ex. sess. and RCW 90.58.180; adding a new section to chapter 62, Laws of 1970 ex. sess. and to chapter 43.21B RCW; adding new sections to chapter 109, Laws of 1971 ex. sess. and to chapter 43.21C RCW; adding a new section to chapter 286, Laws of 1971 ex. sess. and to chapter 90.58 RCW; repealing section 51, chapter 62, Laws of 1970 ex. sess. and RCW 43.21B.210; and repealing section 17, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.170.

To Committee on Ecology.

HOUSE BILL NO. 1546, by Representatives Pardini and Charnley (by Executive request):

AN ACT Relating to energy resources; amending section 1, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.010; amending section 2, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.020; amending section 3, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.030; amending section 4, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.040; amending section 5, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.050; amending section 7, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.070; amending section 9, chapter 29, Laws of 1973 2nd ex. sess. and RCW

43.21D.900; and declaring an emergency.

To Committee on Transportation and Utilities.

HOUSE BILL NO. 1547, by Representatives Newhouse, Curtis, Polk, Morrison, Pardini, Matthews, Kopet, Juelling, Cunningham, Nelson, Julin, Kishimoto, Amen, Hansey, Garrett, Bluechel, Barnes, Hayner, Benitz, Schumaker, Pullen, Eikenberry, Paris, Leckenby, Gilleland, Wilson, Brown, Honan, Freeman, Kuehne, North (Lois), Tilly, Blair, Patterson and Rabel (by Executive request):

AN ACT Relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1971 ex. sess. and RCW 82.08.030; amending section 82.12.030, chapter 15, Laws of 1961, as last amended by section 10, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.030; adding new sections to chapter 15, Laws of 1961 and to chapter 84.40 RCW; and declaring an emergency.

To Committee on Ways and Means - Revenue.

HOUSE JOINT MEMORIAL NO. 26, by Representatives Perry, Laughlin, Patterson and Berentson:

Memorializing the Congress to continue the construction schedule of dams in the Columbia River power system.

To Committee on Transportation and Utilities.

HOUSE JOINT MEMORIAL NO. 27, by Representatives Hoggins, May, Pardini, Kishimoto, Bagnariol, Bauer and Randall:

Memorializing Congress to create tax incentives for energy-saving home improvements.

To Committee on Transportation and Utilities.

HOUSE JOINT RESOLUTION NO. 48, by Representative Ceccarelli:

Amending the Constitution.

To Committee on Constitution and Elections.

HOUSE JOINT RESOLUTION NO. 49, by Representative King:

Proposing constitutional amendment.

To Committee on Constitution and Elections.

HOUSE JOINT RESOLUTION NO. 50, by Representatives King and Brown:

Proposing constitutional amendment.

To Committee on Constitution and Elections.

HOUSE JOINT RESOLUTION NO. 51, by Representative King:

Proposing constitutional amendment respecting sessions and committees of the legislature.

To Committee on Constitution and Elections.

HOUSE JOINT RESOLUTION NO. 52, by Representatives O'Brien, Brown, Thompson, Kuehnle, Chatalas, Charnley and Douthwaite:

Amending the Constitution to establish a citizens' commission to set salaries of legislators and public officials.

To Committee on Constitution and Elections.

HOUSE JOINT RESOLUTION NO. 53, by Representatives Williams, Charnley and Eng:

Amending the Constitution to provide an equitable procedure for adjustment of salaries of elected officials.

To Committee on Constitution and Elections.

HOUSE CONCURRENT RESOLUTION NO. 61, by Representative Douthwaite:

Resolving that a study be made of the rate of increase in the cost of rental housing.

To Committee on Social and Health Services.

HOUSE CONCURRENT RESOLUTION NO. 62, by Representatives Adams, Parker and Wojahn:

Requiring the department of social and health services develop a cost-related reimbursement system for nursing homes.

To Committee on Social and Health Services.

HOUSE CONCURRENT RESOLUTION NO. 63, by Representatives O'Brien, Bluechel, Beck, Bagnariol, Shinpoch, Zimmerman, Hurley, Sommers, Charnley, Rabel, Moon, Hendricks, Barnes, Honan, Nelson, Polk, Kishimoto, Hoggins, Matthews, Berentson, Erickson, Charette, Jastad, North (Lois) and Brown:

Commemorating the tenth anniversary of the Seattle Opera Association.

To Committee on Local Government.

HOUSE CONCURRENT RESOLUTION NO. 64, by Representatives Valle, Eng, Flanagan, Rabel, Kilbury, Goltz, North (Frances), Lysen, Blair, Ellis, Nelson, Bender, Charnley, Berentson, Bausch, Beck, Honan, North (Lois), Maxie, Douthwaite, Newhouse, Bluechel, Perry, Gaines, Johnson and Randall:

Declaring a "no-smoking" day in the legislature.

To Committee on Social and Health Services.

ENGROSSED SENATE BILL NO. 2329, by Senators Atwood and Mardesich:

AN ACT Relating to state government; amending section 1, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.150; amending section 2, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.160; amending section 4, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.180; repealing section 5, chapter 71, Laws of 1971 ex. sess. and RCW 43.10.190 and providing an effective date.

To Committee on State Government.

SENATE BILL NO. 2399, by Senators Francis, Woody and Woodall:

AN ACT Relating to eminent domain; and amending section 3, chapter 137, Laws of 1967 ex. sess. as amended by section 3, chapter 39, Laws of 1971 ex. sess. and RCW 8.25.070.

To Committee on Judiciary.

SENATE BILL NO. 2937, by Committee on Local Government (Endorsed by Senators Whetzel, Murray, Jolly, Talley, Fleming, Sellar, Gardner and Connor):

AN ACT Relating to legal aid; adding a new section to chapter 93, Laws of 1939 and to chapter 2.50 RCW; and declaring an emergency.

To Committee on Local Government.

SENATE JOINT RESOLUTION NO. 143, by Senator Grant:

Proposing an amendment to the Washington Constitution on qualifications of electors.

To Committee on Constitution and Elections.

## MOTION

On motion of Mr. Conner, all bills, memorials and resolutions listed on today's agenda under the fourth order of business were referred to the committees specified, with the exception of House Concurrent Resolution No. 63 and House Concurrent Resolution No. 64, to be considered immediately.

## MOTION

Mr. Julin moved that House Bill No. 1398 be referred to Committee on Rules instead of the Committee on Agriculture.

The motion was lost on a rising vote.

## MOTION

On motion of Mr. Douthwaite, House Bill No. 1521 was referred to the Committee on Local Government instead of the Committee on Social and Health Services.

## FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 63, by Representatives O'Brien, Bluechel, Beck, Bagnariol, Shinpoch, Zimmerman, Hurley, Sommers, Charnley, Rabel, Moon, Hendricks, Barnes, Honan, Nelson, Polk, Kishimoto, Hoggins, Matthews, Berentson, Erickson, Charette, Jastad, North (Lois) and Brown:

Commemorating the tenth anniversary of the Seattle Opera Association.

## MOTION

On motion of Mr. Conner, the rules were suspended, and House Concurrent Resolution No. 63 was advanced to second reading and read in full.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 63 was placed on final passage.

Mr. Bluechel spoke in favor of the resolution.

House Concurrent Resolution No. 63 was adopted.

HOUSE CONCURRENT RESOLUTION NO. 64, by Representatives Valle, Eng, Flanagan, Rabel, Kilbury, Goltz, North (Frances), Lysen, Blair, Ellis, Nelson, Bender, Charnley, Berentson, Bausch, Beck, Honan, North (Lois), Maxie, Douthwaite, Newhouse, Bluechel, Perry, Gaines, Johnson and Randall:

Declaring a "no smoking" day in the legislature.

MOTION

On motion of Mr. Conner, the rules were suspended, and House Concurrent Resolution No. 64 was advanced to second reading and read the second time in full.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Concurrent Resolution No. 64 was placed on final passage.

Mrs. Valle spoke in favor of the resolution.

House Concurrent Resolution No. 64 was adopted.

REPORTS OF STANDING COMMITTEES

January 18, 1974

HOUSE BILL NO. 251, Prime sponsor: Representative Knowles, providing wrongful death actions in the case of the death of a child, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Knowles, Chairman; Eikenberry, Gaspard, Hayner, Maxie, North (Lois), Shinpoch, Smith, Sommers.

January 18, 1974

HOUSE BILL NO. 757, Prime sponsor: Representative Erickson, providing for adult members of the school patrol, reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Clemente, Ehlers, Fortson, Hoggins, Johnson, Kishimoto, Lysen, Warnke.

January 17, 1974

HOUSE BILL NO. 779, Prime sponsor: Representative Johnson, allowing certain public officials to transfer from teachers' retirement to public employees' retirement system and allowing retirement from teachers' retirement system after twenty-five years, reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hoggins, Johnson, Kishimoto, Lysen, Warnke.

January 18, 1974

HOUSE BILL NO. 833, Prime sponsor: Representative Blair, defining standards and functions of county and city jails, reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Adams, Amen, Blair, Honan, Kishimoto, Martinis, McCormick, Nelson, North (Frances), Paris, Patterson, Sommers, Zimmerman.

January 21, 1974

HOUSE BILL NO. 1039, Prime sponsor: Representative Kilbury, relating to water rights, reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Haussler, Laughlin, Schumaker, Tilly, Van Dyk.

January 18, 1974

SUBSTITUTE HOUSE BILL NO. 1077, Prime sponsor: Representative Wojahn, requiring contractual provisions to provide hospitalization for alcoholism, reported by Committee on Commerce.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Ceccarelli, Curtis, Gallagher, Garrett, Gilleland, Juelling, Kuehne, Leckenby, Randall, Wilson.

January 21, 1974

HOUSE BILL NO. 1211, Prime sponsor: Representative Haussler, providing for an alternative date for filing of final budgets by port districts, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 9 after "the" at the beginning of the line strike "board of county commissioners" and insert "county legislative authority"

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Amen, Blair, Honan, Kishimoto, Laughlin, McCormick, Nelson, North (Frances), Patterson, Sommers, Zimmerman.

January 21, 1974

HOUSE JOINT RESOLUTION NO. 43, Prime sponsor: Representative King, amending the Constitution in regard to the veto of legislative acts, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Eng, Erickson, Knowles, Maxie.

#### MOTION

On motion of Mr. Conner, all standing committee reports listed on today's fifth order of business, were referred to the Committee on Rules.

#### SECOND READING

HOUSE BILL NO. 427, by Representative Kilbury (by Department of Agriculture request):

Providing regulations for the salvage of food.

On motion of Mr. Kilbury, Substitute House Bill No. 427 was substituted for House Bill No. 427, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 427 was read the second time.

Mr. Lysen moved adoption of the following amendment by Representatives Lysen and Kilbury:

On page 5, section 9, line 23 following "on" strike "a daily, weekly or"

Representatives Lysen and Kilbury spoke in favor of the amendment.

The amendment was adopted.

On motion of Mr. Lysen the following amendments by Representatives Lysen and Kilbury were adopted:

On page 9, strike all of section 24 and renumber the remaining sections consecutively.

On page 10, section 26, line 13 following "this" strike "1973" and insert "1974"

On page 10, section 27, line 15 following "this" strike "1973" and insert "1974"

On page 10, following section 28 insert a new section as follows:

" NEW SECTION. Sec. 29. This act shall take effect January 1, 1975."



Renumber the remaining sections consecutively.

On page 10, section 29, line 26 following "this" strike "1973" and insert "1974"

Substitute House Bill No. 427 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 427 was placed on final passage.

Mr. Kilbury spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Kilbury, I am not familiar with this bill, and I recognize the danger of jumping in at the last minute and raising questions. I see a couple of potential problems here that I would like you to try to help me resolve. New section 14 indicates that 'No commercial handler or salvager shall sell a salvaged food to an ultimate consumer unless it is identified in such a manner as the director determines will adequately indicate that the commodity has been salvaged.' Would this preclude the sale of unlabeled merchandise? If it became labeled and was indicated that it was salvaged merchandise, but it did not have labels on the cans, would this be permissible under the law?"

Mr. Kilbury: "Yes, under the law. Of course, this would depend finally on the direct regulations."

Mr. Kuehnle: "Are we giving the director the authority to prohibit the sale of unlabeled merchandise?"

Mr. Kilbury: "We are giving the director the authority to set rules, not to prohibit the sale of unmarked merchandise, but he could determine under what conditions they were sold."

Mr. Kuehnle: "I know that it is common practice in the salvage field and quite often it develops that a substantial amount of merchandise will be unlabeled. That is the reason that it became salvage in the first place--it got mixed up somewhere or the labels got smoked. The merchandise in the can isn't damaged, but the labels are damaged. I know many institutions that buy this type of food at five cents on the dollar. They don't know what is in the cans, but there is a whole case of it. They open one can to find out what it is and it helps them to buy good wholesome food at very low cost. I want to be sure that type of practice isn't going to be prohibited."

Mr. Kilbury: "No, that practice will not be prohibited."

Mr. Kuehne: "One other question: The provision in section 18 which says 'No person shall live or sleep in any building used for food salvaging unless the portion of the building used for food salvaging is separated from the living or sleeping quarters by impervious walls, without doors, windows or other openings.' Would you explain the logic behind that? I happen to be personally aware of at least one situation where a food salvager does have an apartment where an employee lives in that building. He is a nightwatchman, he oversees what's going on, and he has a couple of windows in his living quarters so that he can look out and find out what is going on for security purposes at night. Would this prohibit that, and if so, why?"

Mr. Kilbury: "It would prohibit the immediate access of sleeping quarters to the area in which the food salvage operation was conducted. It might require some changes if the gentleman sleeps in that area, but it would not prohibit the access from an area outside of the salvage area by a watchman, if he were stationed specifically in another room. The idea is to prevent people sleeping in close proximity to this food."

#### POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Benitz.

Mr. Benitz: "Representative Kilbury, I note that in section 3 it states that it shall be unlawful for any person to act as a commercial food salvager, etc. without getting a license and also further back. My question is, do those in agriculture that commonly haul culled fruit, culled potatoes and many other products come under the regulation of this act?"

Mr. Kilbury: "No, this is primarily for those people who are in the business of accepting damaged foods from the areas where they are damaged and who make a business of salvaging this food. It is not intended to prevent agricultural movement of commodities."

Mr. Benitz: "One further question, Representative Kilbury. Do you know where that section is in the act, please?"

Mr. Kilbury: "Section 3."

#### POINT OF INQUIRY

Mr. Julin: "Will Mr. Kilbury yield to question?"

Mr. Kilbury declined to yield.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 427.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 427, and the bill passed the House by the following vote: Yeas, 65; nays, 25; not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Barnes, Bauer, Bausch, Beck, Bender, Berentson, Bluechel, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Laughlin, Luders, Matthews, Maxie, May, McCormick, Moon, North L., O'Brien, Parker, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn.

Voting nay: Representatives Benitz, Blair, Brown, Curtis, Eikenberry, Freeman, Garrett, Gilleland, Hansey, Jueling, Julir, Kraabel, Kuehne, Leckenby, Lysen, Morrison, Nelson, North F., Pardini, Paris, Patterson, Polk, Rabel, Wilson, Zimmerman.

Not voting: Representatives Bagnariol, Charette, Kelley, Martinis, Newhouse, Perry, Thompson, and Mr. Speaker.

Engrossed Substitute House Bill No. 427, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 671, by Representatives Gallagher, Conner and Kalich:

Permitting Sunday boxing and twelve round state and regional championship bouts.

On motion of Mrs. Wojahn, Substitute House Bill No. 671 was substituted for House Bill No. 671, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 671 was read the second time.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 671 was placed on final passage.

Mr. Gallagher spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 671, and the bill passed the House by the following vote: Yeas, 82; nays, 4; not voting, 12.

Voting yea: Representatives Adams, Amen, Anderson, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Matthews, May, McCormick, Morrison, Nelson, North P., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Savage, Schumaker, Shinpoch, Smith, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bluechel, Hoggins, Leckenby, North L..

Not voting: Representatives Bagnariol, Charette, Fortson, Kelley, Martinis, Maxie, Moon, Newhouse, Perry, Randall, Thompson, and Mr. Speaker.

Substitute House Bill No. 671, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 809, by Representatives Hansey, Goltz, Berentson and Van Dyk:

Revising the apportionment formula for the grade crossing protective fund.

#### MOTION

On motion of Mr. Conner, House Bill No. 809 was referred to Rules.

HOUSE BILL NO. 1093, by Representatives Adams, Parker, Wojahn and Curtis:

Relating to fees for professional licenses.

#### MOTION

On motion of Mr. Conner, House Bill No. 1093 was rereferred to the Committee on Commerce.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House Mr. Robert A. Yothers, Grand Exalted Ruler of the National Grand Protective Order of Elks, and requested Representatives Kalich and Gaines to escort him to the rostrum.

Mr. Yothers addressed the House and the Speaker (Mr. O'Brien presiding) requested Representatives Kalich and Gaines to escort him from the House Chamber.

The House resumed its business.

SECOND READING

HOUSE JOINT RESOLUTION NO. 21, by Representatives Nelson, Douthwaite and Valle:

Proposing constitutional amendment to allow first class cities to use public funds for industrial development or trade promotion.

Committee on Local Government recommendation: Do pass with the following amendment:

In Article 8, section 10, line 8 after "funds by" insert "the state,"

On motion of Mr. Haussler, the committee amendment was adopted.

The Clerk read the following amendment by Representatives Morrison and Haussler:

In line 9 after "towns" and before "in" insert ", or any commission or board created by law for the development or marketing of any agricultural commodity,"

Mr. Morrison moved adoption of the amendment and spoke in favor of it.

Mr. Douthwaite spoke against passage of the amendment, and Representatives Haussler, Van Dyk and Flanagan spoke in favor of it.

The amendment was adopted.

House Joint Resolution No. 21 was ordered engrossed.

MOTION

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed House Joint Resolution No. 21 be placed on final passage.

The motion was carried on a rising vote.

The Speaker (Mr. O'Brien presiding) declared the question before the House to be Engrossed House Joint Resolution No. 21 on final passage.

POINT OF INQUIRY

Mr. Nelson yielded to question by Mr. Cunningham.

Mr. Cunningham: "Representative Nelson, would you be kind enough to tell me what the legislative intent for the definition of 'industrial development' is?"

Mr. Nelson: "Well, I guess I can answer that by simply giving you the remarks that I intended to give about this piece of legislation. I guess, in summary, it goes like this: Back in 1966 this body gave to the voters the opportunity to allow port districts, which later on became Article 8, section 8, to use public funds in a manner prescribed by this legislature. That's where we as a group are going to put some refinements to what industrial development will be. At that same time they are using funds for trade promotion and for promotional hosting and the result of our having allowed port districts to do that, is two-fold. Number one, it has improved employment in the confines of the port districts. Number two, it certainly has been a bit of revenue base for the port districts, and I would hope that we would give that same thing to cities and towns. There is presently this kind of legislation in 5 other states of the union. New Jersey authorizes the use of public funds for trade journal publicity services to advertise advantages of certain municipalities in that state. Illinois, from its promoting industrial development within its state, again to definition provided by the legislature. Massachusetts, under its state law, allows a town to appropriate money for encouraging economic diversification. I think each of us realizes that our cities and towns and counties need the same opportunity. Missouri permits cities to promote trade and commerce within these bodies. Oregon, our southerly neighbor, authorizes the city council of any city or town to appropriate funds annually for encouraging trade. So the idea behind this House Joint Resolution was to allow the voters to now consider allowing the cities, towns and counties to have the same advantages--namely to provide an economic development--an incentive that will allow these cities and towns to effectively compete with cities and towns of other states. I think that by passing this measure we can help many of the cities and towns of the state and I would ask your support."

Mr. Flanagan spoke against the resolution.

#### POINT OF INQUIRY

Mr. Nelson yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Nelson, as I am reading the language in Article 2, section 12, it reads '...as prescribed by the legislature for industrial development and trade promotion' and then it ends '...professional hosting.' I am wondering whether or not that language refers to promotional hosting only for industrial development or does that open the gates for any kind of promotional hosting?"

Mr. Nelson: "I would hope not, Representative Patterson. I think that this body is certainly going to place confines on exactly what would be permitted in the use of public funds. I would hope that hosting would be carried out strictly for inviting those kinds of businesses or industries to certain locales within this state that

they want. In other words, to be able to encourage people to come to a certain location of this state to provide a clean business. One that doesn't have noise and smoke and the rest, but would be an enhancement to that area of the state and supply some kind of revenue basis and help that location of the state."

Mr. Patterson: "Representative Nelson, my question, of course, is whether or not this constitutional amendment would allow promotional hosting for purposes other than industrial development. Your comment was you 'hope' and my concern is 'in fact' does it prohibit it?"

Mr. Nelson: "It would be prohibited with the legislation that would follow, should the voters enact it. I would not encourage the public moneys be used for hosting for anything other than the economic development of that locale, the actual trade promotion and/or industrial promotion purposes."

Mr. Patterson: "Would you consider the public bodies that are encompassed in this by an amendment that includes the state--and when you say state that would include all institutions and what-have-you of the state? Would you include the promotional hosting that could be utilized under this constitutional amendment as an opportunity for all state agencies to host members of this body in promoting their activities?"

Mr. Nelson: "No."

#### POINT OF INQUIRY

Mr. Nelson yielded to question by Mr. Lysen.

Mr. Lysen: "My first question is, in King County the homeowners and property tax payers in the last year or year before last, paid eleven and a half million dollars property taxes in direct subsidy to the port of Seattle, plus the properties that the port owns that are off the tax rolls that are quite substantial--the county assessor has no idea how much it really is. My question is, will this put the other units of local government competing with the port in terms of attempting to get business and subsidized to do business? My second question is, what percentage of the tax dollar should the citizens be required or encouraged to use to subsidize the attraction and the competition to bring in business in an area?"

Mr. Nelson: "On the first question, would there be competition--I don't believe so. I think that we are finding all of these units of government working in a great deal of harmony to supplement their direct intentions. A port district doesn't get into the business of seeking businesses that would essentially help its cause and especially if the port boundaries did not include the entire city, such as in our area. On the second question, how much money should be used, I think it would be difficult for me to answer that directly. I think that

with the legislation that we would enact should this pass, we might put some confines on that. Just to make one final remark, we have asked government--state, cities, towns and counties--to act more like a business. We keep telling them to run government like business. This is what business does and the action behind allowing them to now encourage other industry to come in within their boundaries is a business opportunity that we should not deny them, because it will help the single-family residential owner to escape much of the property taxes he is being burdened with today by providing the kinds of industries which in the cities, towns and counties will be to their benefit."

Representatives Cunningham, Leckenby and Moon spoke against Engrossed House Joint Resolution No. 21.

Mr. Morrison spoke in favor of the resolution.

#### MOTION

Mr. Douthwaite moved to suspend the rules, and return Engrossed House Joint Resolution No. 21 to second reading for the purpose of amendment.

The motion was lost.

#### MOTION

Mr. Morrison moved that further consideration of Engrossed House Joint Resolution No. 21 be deferred, and the bill be placed on tomorrow's calendar.

The motion was lost.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be Engrossed House Joint Resolution No. 21 on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 21, and the bill failed to pass the House by the following vote: Yeas, 32; nays, 60; not voting, 6.

Voting yea: Representatives Anderson, Berentson, Blair, Chatalas, Curtis, Douthwaite, Eng, Gaines, Gallagher, Goltz, Hansey, Haussler, Hoggins, Jastad, Johnson, Kalich, Kilbury, King, Kraabel, Laughlin, Matthews, Maxie, Morrison, O'Brien, Perry, Rabel, Savage, Schumaker, Sommers, Valle, Van Dyk, Williams.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Bluechel, Brown, Ceccarelli, Charette, Charnley, Clemente, Conner, Cunningham, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Garrett, Gaspard, Gilleland, Hansen, Hayner, Hendricks, Honan, Hurley, Juelling, Julin, Kishimoto, Knowles, Kopet, Kuehnle, Leckenby, Luders, Lysen, May, McCormick, Moon, Nelson, North F., North L.,



Pardini, Paris, Parker, Patterson, Polk, Pullen, Randall, Shinpoch, Tilly, Warnke, Wilson, Wojahn, Zimmerman.  
Not voting: Representatives Kelley, Martinis, Newhouse, Smith, Thompson, and Mr. Speaker.

Engrossed House Joint Resolution No. 21, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Mr. Nelson, having voted on the prevailing side, gave notice he would, on the next succeeding day, move for reconsideration of Engrossed House Joint Resolution No. 21 on final passage.

#### MOTION

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

#### THIRD READING

ENGROSSED HOUSE BILL NO. 385, by Representatives Van Dyk, Kelley and Patterson:

Establishing animal technicians, allowing state veterinary board to employ a secretary, and providing for suspension or revocation of veterinary license if revoked in another state.

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

Representatives Kilbury and Van Dyk spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 385, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Kelley, Knowles, Luders, Martinis, Newhouse, Smith, Thompson, and Mr. Speaker.

Engrossed House Bill No. 385, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 10, by Committee on Judiciary (Originally sponsored by Representatives Ehlers, Shinpoch, Wojahn and Goltz):

Providing that disclaimer of warranties in the sale of consumer goods shall be ineffective.

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

Mr. Ehlers spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 10, and the bill passed the House by the following vote: Yeas, 78; nays, 10; not voting, 10.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Sommers, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Curtis, Eikenberry, Gilleland, Julin, Kraabel, Kuehnle, Morrison, Polk, Schumaker, Tilly.

Not voting: Representatives Benitz, Charnley, Hansen, Haussler, Kelley, Martinis, Newhouse, Smith, Thompson, and Mr. Speaker.

Engrossed Substitute House Bill No. 10, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 253, by Representatives Kopet, Wojahn, Curtis and Leckenby:

Providing procedures for use of confidential information within the department of social and health services.

## MOTION

On motion of Mr. Conner, House Bill No. 253 was placed at the bottom of today's third reading calendar.

ENGROSSED HOUSE BILL NO. 289, by Representatives Polk, Lysen, Freeman and Julin:

Providing for motorists' information signs.

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

Mr. Polk spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 289, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Kelley, Martinis, Newhouse, Smith, Thompson, and Mr. Speaker.

Engrossed House Bill No. 289, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 457, by Representatives Bagnariol, Johnson and Gilleland:

Providing for payment for costs of relocating public sewer and water facilities located within the right of way of certain highways.

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

Mrs. North (Frances) spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 457, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Kelley, Martinis, Newhouse, Parker, Smith, Thompson, and Mr. Speaker.

House Bill No. 457, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 474, by Representatives Smith, Bluechel, Sommers, Bausch, King, Ehlers, Zimmerman, Bauer, Blair and Gaspard:

Allowing state, city, and county employees to engage in certain political activities.

## MOTION

On motion of Mr. Conner, further consideration of Engrossed House Bill No. 474 was deferred, and the bill was ordered placed on tomorrow's third reading calendar.

ENGROSSED HOUSE BILL NO. 596, by Representatives Johnson and Kelley:

Permitting a vintage motor vehicle to be used for daily transportation and bear plates from its year of manufacture.

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

Mrs. Johnson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 596, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Patterson.

Not voting: Representatives Kelley, Martinis, Newhouse, Parker, Smith, Thompson, and Mr. Speaker.

Engrossed House Bill No. 596, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 761, by Representatives Smythe, Eikenberry, Smith, Barden, Parker and Tilly:

Increasing penalties for defrauding hotels, inns, restaurants and boarding houses.

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

Mr. Eikenberry spoke in favor of the bill, and Mr. Charette spoke against its passage.

Representatives Knowles, Conner and Honan spoke in favor of the bill, and Mr. King spoke against it. Mr. Eikenberry spoke again in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 761, and the bill passed the House by the following vote: Yeas, 70; nays, 21; not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Chatalas, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gallagher, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Juelling, Julin, Kalich, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Matthews,

Maxie, May, McCormick, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Savage, Schumaker, Sommers, Tilly, Valle, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Bender, Charette, Charnley, Clemente, Douthwaite, Fortson, Gaines, Gaspard, Goltz, Hoggins, Jastad, Johnson, King, Lyßen, Moon, Perry, Randall, Shipoch, Van Dyk, Warnke, Williams.

Not voting: Representatives Kelley, Martinis, Newhouse, Parker, Smith, Thompson, and Mr. Speaker.

Engrossed House Bill No. 761, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 958, by Representative Gaines:

Authorizing use of forty-foot school buses under specific limitations.

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

Representatives Gaines, Perry, Haussler and Beck spoke in favor of the bill, and Representatives Cunningham, Curtis, Leckenby and Hoggins spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 958, and the bill passed the House by the following vote: Yeas, 54; nays, 38; not voting, 6.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Jastad, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lyßen, Maxie, May, McCormick, Moon, Nelson, North F., O'Brien, Pardini, Perry, Rabel, Randall, Savage, Schumaker, Smith, Sommers, Valle, Van Dyk, Warnke, Williams, Wojahn.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Johnson, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, North L., Paris, Patterson, Polk, Pullen, Shipoch, Tilly, Wilson, Zimmerman.

Not voting: Representatives Kelley, Martinis, Newhouse, Parker, Thompson, and Mr. Speaker.

House Bill No. 958, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, the House deferred further consideration of the bills on today's third reading calendar, and they were ordered placed on tomorrow's third reading calendar.

## MOTIONS

On motion of Mr. Charette, HOUSE BILL NO. 1259 was rereferred from the Committee on State Government to the Committee on Judiciary.

On motion of Mr. Charette, HOUSE JOINT RESOLUTION NO. 35 and HOUSE JOINT RESOLUTION NO. 36 were rereferred from the Committee on Constitution and Elections to the Committee on Ways and Means - Revenue.

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

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Wednesday, January 23, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## TENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 23, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Julin, Leckenby and Randall. Representative Randall was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Pastor Glen D. Cole of the Evergreen Christian Center of Olympia.

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

## MESSAGES FROM THE SENATE

January 22, 1974

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 63,

HOUSE CONCURRENT RESOLUTION NO. 64,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

January 22, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3052,

ENGROSSED SENATE JOINT RESOLUTION NO. 140,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 3052, by Senators Francis, Atwood, Lewis (Harry), Durkan and Grant:

AN ACT Relating to the protection of the rights of the owner of a sound recording; adding a new chapter to Title 19 RCW; and providing penalties.

To Committee on State Government.



ENGROSSED SENATE JOINT RESOLUTION NO. 140, by Senators Grant and Metcalf:

Amending the Constitutional veto power of the Governor.

To Committee on Constitution and Elections.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker was about to sign:

HOUSE CONCURRENT RESOLUTION NO. 63,

HOUSE CONCURRENT RESOLUTION NO. 64.

REPORTS OF STANDING COMMITTEES

January 17, 1974

HOUSE BILL NO. 430, Prime sponsor: Representative Perry, creating a department of transportation, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Ceccarelli, Clemente, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Nelson, Patterson, Wilson.

January 18, 1974

HOUSE BILL NO. 473, Prime sponsor: Representative Jastad, authorizing card rooms, pinball machines, punch cards and pull tabs, reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Ceccarelli, Curtis, Gallagher, Garrett, Gilleland, Jueling, Kuehnle, Leckenby, Randall, Wilson.

January 22, 1974

HOUSE BILL NO. 764, Prime sponsor: Representative Polk, setting up an educational accountability system of common schools, reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Bender, Clemente, Eng, Fortson, Hayner, Hendricks, Johnson, Tilly.

MINORITY recommendation: The substitute bill do not pass. Signed by Representatives Barnes, Brown, Warnke.

January 22, 1974

HOUSE BILL NO. 1242, Prime sponsor: Representative Gallagher, providing for the use of hand-held gear for commercial salmon fishing, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 2, line 13 strike all the material down to and including "director." on line 17 and insert the following:

"No commercially licensed troll vessel as defined in section 1 of this 1974 act, shall be used for angling for personal use during the commercial troll salmon season in coastal fishing areas nor in contiguous areas closed to commercial troll salmon fishing."

Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Anderson, Clemente, Conner, Gilleland, Hansen, Hansey, Haussler, Julin, Kilbury, Kishimoto, Schumaker.

## MOTION

On motion of Mr. Thompson, all bills listed on the fifth order of business on today's agenda were referred to the Committee on Rules for second reading, except HOUSE BILL NO. 764, to be rereferred to the Committee on Ways and Means - Appropriations.

Mr. Charette assumed the Chair.

## SECOND READING

HOUSE BILL NO. 188, by Representatives Knowles, Julin and Wojahn (by Judicial Council request):

Providing for a change in the method of computing the salary of the court administrator.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendment, see Journal, page 1690, 1973 1st ex. sess.)

On motion of Mr. Knowles the committee amendment was adopted.

House Bill No. 188 was ordered engrossed.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 188 was placed on final passage.

Mr. Knowles spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 188, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagariol, Barnes, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pullen.

Not voting: Representatives Bausch, Julin, Leckenby, Warnke.

Engrossed House Bill No. 188, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

January 23, 1974

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 63,

HOUSE CONCURRENT RESOLUTION NO. 64,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SECOND READING

HOUSE BILL NO. 541, by Representatives Eikenberry, Knowles, Gaspard, Smith, Polk, Swayze, Luders, May, North (Lois), Chatalas, Julin and Pullen:

Setting standards for determining the amount of bonds for injunctions affecting public construction contracts.

The bill was read the second time.

## MOTION

On motion of Mr. Knowles, Substitute House Bill No. 541 was substituted for House Bill No. 541, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 541 was read the second time.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 541 was placed on final passage.

Mr. Eikenberry spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 541, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Julin, Leckenby, O'Brien.

Substitute House Bill No. 541, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 554, by Representative Knowles:

Setting a time limitation for the transfer of prior service credits into the judicial retirement system.

The bill was read the second time.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 554 was placed on final passage.

Mr. Knowles spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 554, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hausler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Julin, Leckenby, Randall.

House Bill No. 554, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. O'Brien resumed the Chair.

## SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House, Miss Edie Adams and Mr. Glynn Ross, General Director of the Seattle Opera Association, and asked Representatives Hurley, North (Lois), Shinpoch, Bluechel, Beck and Bagnariol to escort them to the rostrum.

Miss Adams and Mr. Ross addressed the House.

Mr. Ross introduced the following artists with the Opera Association, whereupon they entertained the House with a short musical production:

Gloria Cutsforth, Joan Winden, Henry Holt, William Harness, Archie Drake, Robert Peterson and Leonard Eagleson.

The Speaker (Mr. O'Brien presiding) asked the escort committee to escort Miss Edie Adams and Mr. Glynn Ross from the House Chambers.

The House resumed its business.

## SECOND READING

HOUSE BILL NO. 804, by Representatives Freeman, Bagnariol, Pullen, Eng, Kopet, Curtis, Hansen, North (Frances), Cunningham, Kelley, Smythe, Charette, Gaspard, Polk, Kuehnle, Barden, Eikenberry, Rabel, Hendricks, Schumaker, Kraabel, Pardini, Hayner, Randall, Matthews, Gilleland, Hansey and Leckenby:

Enacting the truth in spending act of 1973.

MOTION

On motion of Mr. Thompson, consideration of House Bill No. 804 was deferred until after consideration of House Bill No. 830.

HOUSE BILL NO. 830, by Representatives Hansey, Randall and Berentson:

Clarifying the laws relating to aircraft hazards.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal, page 2083, 1973 1st ex. sess.)

On motion of Mr. Perry the committee amendment was adopted.

House Bill No. 830 was ordered engrossed.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 830 was placed on final passage.

Mr. Hansey spoke in favor of the bill.

POINT OF INQUIRY

Mr. Hansey yielded to question by Mr. Van Dyk.

Mr. Van Dyk: "On the definition of airport, the way I read it, an airport is any area designed where planes may land. Is that correct?"

Mr. Hansey: "Definitions of airports are described further in other sections of the Aeronautics Act."

Mr. Van Dyk: "Could you point that out to me?"

Mr. Hansey: "We are only dealing with one section of the Aeronautics Act here and I don't believe there is a definition of airport in this particular section."

Mr. Van Dyk: "On page 1, line 21 it says 'Airport means any area of land or water which is used, or intended

for use, for the landing and take-off of aircraft, and any appurtenant areas which are used,...' When I take that definition, and then I find that you strike the 150 feet of airspace that is given to land adjoining the airport, it means any area that planes can land then have that jurisdiction over all service rights or air rights for about 5 miles. That seems like a lot of power to give an area where they wish to land planes. For example, in a country area where a person lands on his own field, this bill, if I read it right, gives him jurisdiction for five miles around there for anything of any height above the land."

Mr. Hansey: "Anything that would be a hazard to either the aircraft in the air or people on the ground."

#### MOTION

On motion of Mr. Kuehnle, further consideration of Engrossed House Bill No. 830 was deferred, and the bill was ordered placed on tomorrow's third reading calendar.

HOUSE BILL NO. 804, by Representatives Freeman, Bagnariol, Pullen, Eng, Kopet, Curtis, Hansen, North (Frances), Cunningham, Kelley, Smythe, Charette, Gaspard, Polk, Kuehnle, Barden, Eikenberry, Rabel, Hendricks, Schumaker, Kraabel, Pardini, Hayner, Randall, Matthews, Gilleland, Hansey and Leckenby:

Enacting the truth in spending act of 1973.

The bill was read the second time.

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal, page 1770, 1973 1st ex. sess.)

On motion of Mr. Freeman the committee amendment was adopted.

On motion of Mr. Thompson, the following amendments were adopted:

On page 1, section 1, line 4 after "that" insert "knowledge of"

On page 1, section 1, line 5 strike "are" and insert "is"

Mr. Thompson moved adoption of the following amendment:  
On page 1, section 1, line 5 strike "paramount"

Mr. Thompson spoke in favor of the amendment, and Mr. Freeman spoke against it.

The amendment was adopted on a rising vote.

On motion of Mr. Thompson, the following amendments were adopted:

On page 1, section 1, line 7 strike "such" and strike "as is"

On page 1, section 1, line 8 strike "necessary" and strike "fully"

On page 1, section 1, line 9 after "revenues" and before the period insert "on a per capita basis"

Mr. Thompson moved adoption of the following amendment:

On page 1, section 1, lines 9 and 10 strike "Truth in Spending" and insert "Per Capita Reporting"

Mr. Thompson spoke in favor of the amendment, and Mr. Eikenberry spoke against it.

Representatives Charette and Moon spoke in favor of the amendment, and Mr. Curtis spoke against it.

#### POINT OF ORDER

Mr. Julin: "Representative Moon is speaking in reference to another matter that is not before the body, and I think he should be directing his remarks to the merits of this bill. He does not have an amendment proposed for this."

#### SPEAKER'S RULING

The Speaker: "Representative Julin, your point is not well taken. When we go into the words 'truth in spending,' I think we pretty well open up the whole definition of what people would consider would be in a truth in spending bill."

Mr. Moon spoke in favor of the amendment, and Representatives Freeman, Hurley and Newhouse spoke against it.

The amendment by Mr. Thompson to page 1, lines 9 and 10 of House Bill No. 804 was not adopted.

House Bill No. 804 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 804 was placed on final passage.

#### POINT OF INQUIRY

Mr. Freeman yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Freeman, in order to establish legislative intent here, I would like to ask you about two or three questions. The reason I am asking these questions is because in some cases it may be somewhat difficult to establish this per capita figure. I am particularly thinking of the Superintendent of Public Instruction where a part of the money is spent by the state



agency, a much bigger part is spent by all of the various local school districts who are also agencies, and I assume that your intent is that this all be included in the per capita amount. Also, in this agency, part of the money comes from state sources, part of it comes from federal money channeled through the state or local districts, part of it comes from various local taxes; I assume that you intend to have all this included in the per capita amount. Also a fairly large expenditure in this agency is the teachers' retirement system which is definitely a part of it, and I assume you would want this included. I just wanted to see what your intent was in regard to this."

Mr. Freeman: "It is my intent that this bill would cover all expenditures which are under the control of the state, regardless of where the funds came from, if they are channeled through the state at all, or are controlled by the state, that they would fall under the purview of this act."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 804, and the bill passed the House by following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Leckenby, Randall, Williams.

Engrossed House Bill No. 804, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1063. by Representatives Douthwaite and Kraabel:

Making certain changes in the administration of metropolitan public transportation facilities.

The bill was read the second time.

## MOTION

On motion of Mr. Douthwaite, Substitute House Bill No. 1063 was substituted for House Bill No. 1063, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1063 was read the second time.

## MOTION

On motion of Mr. Charette, further consideration of Substitute House Bill No. 1063 was deferred, and the bill was ordered placed on tomorrow's second reading calendar.

HOUSE BILL NO. 1202, by Committee on Social and Health Services (Endorsed by Representatives Parker, Adams, Jastad, Ellis, Fortson, Eng, Johnson, Savage, Freeman, Matthews, Hendricks, Zimmerman, Tilly, Beck, Chatalas and Gaines):

Enacting a good samaritan law.

The bill was read the second time.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1202 was placed on final passage.

Representatives Parker, Tilly, King and Bagnariol spoke in favor of the bill, and Representatives Charette and Kelley spoke against it.

Representatives Eikenberry and Schumaker spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Kelley yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I wonder what constitutes 'gross negligence'?"

Mr. Kelley: "The legal definition of 'negligence' which is the present standard, is the failure to exercise ordinary care."

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1202, and the bill passed the House by the following vote: Yeas, 90; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite,

Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North P., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Charette, Gaspard, Julin, Kelley, Knowles, and Mr. Speaker.

Not voting: Representatives Leckenby, Randall.

House Bill No. 1202, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1226, by Committee on Transportation and Utilities (Endorsed by Representatives McCormick, Nelson, Gilleland, Patterson, Berentson, Ceccarelli, Beck, Pullen, Garrett, Gaines, Laughlin, Clemente, Bender, Kraabel, Hansen, Perry, Lysen, Gallagher, Leckenby and Charnley):

Regulating metro vehicles.

#### MOTION

On motion of Mr. Thompson, further consideration of House Bill No. 1226 was deferred and the bill was ordered placed on tomorrow's second reading calendar.

HOUSE JOINT MEMORIAL NO. 17, by Representatives Martinis, Savage, Smythe, Conner, Thompson and Wilson:

Petitioning Congress to enact legislation to protect employee pension rights.

The memorial was read the second time.

Committee on State Government recommendation; Do pass as amended. (For amendments, see Journal, page 1410, 1973 1st ex. sess.)

On motion of Mr. Williams, the committee amendment to page 1, line 18 was adopted.

Mr. Williams moved adoption of the committee amendment to page 1, line 21.

Mr. Savage spoke against the committee amendment, and Mr. Martinis spoke in favor of it.

Representatives Conner, May and Williams spoke against passage of the committee amendment.

Mr. Van Dyk demanded an electric roll call and the demand was sustained.

Mr. Moon spoke against the committee amendment, and Mr. Martinis spoke in its favor.

#### MOTION

On motion of Mr. King, further consideration of House Joint Memorial No. 17 was deferred and it was placed on tomorrow's second reading calendar.

#### MOTIONS

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

On motion of Mr. Thompson, HOUSE BILL NO. 1039 was rereferred from the Committee on Rules to the Committee on Ways and Means - Appropriations.

On motion of Mr. Thompson, HOUSE BILL NO. 670 was rereferred from the Committee on Rules to the Committee on Transportation and Utilities.

On motion of Mr. Thompson, HOUSE BILL NO. 1280 was rereferred from the Committee on Judiciary to the Committee on Transportation and Utilities.

On motion of Mr. Thompson, HOUSE BILL NO. 1398 was rereferred from the Committee on Agriculture to the Committee on Constitution and Elections.

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Thursday, January 24, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

ELEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 24, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Berentson and Morrison, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Pastor Frank Witt of Bethany United Methodist Church of Tacoma.

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

MESSAGE FROM THE SENATE

January 23, 1974

Mr. Speaker:

The Senate has passed:

SECOND REENGROSSED SENATE BILL NO. 2004,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

SECOND REENGROSSED SENATE BILL NO. 2004, by Senators Herr, Stortini and Van Hollebeke:

AN ACT Relating to the establishment and operation of a state lottery; prescribing penalties; creating a new chapter in Title 67 RCW; and creating new sections.

To Committee on Commerce.

REPORTS OF STANDING COMMITTEE

January 23, 1974

SUBSTITUTE HOUSE BILL NO. 14, Prime sponsor: Representative Bluechel, implementing the laws relating to acupuncture, reported by Committee on Social and Health Services.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Adams, Chairman; Cunningham, Fortson, Freeman, Hendricks, Honan, Johnson, Matthews, May, Paris, Savage, Wojahn.

January 22, 1974

HOUSE BILL NO. 103, Prime sponsor: Representative Warnke, making school employees eligible for membership in the public employees' retirement system, reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Brown, Clemente, Ehlers, Fortson, Hoggins, Johnson, Lysen, Warnke.

MINORITY recommendation: That the substitute bill do not pass. Signed by Representative Tilly.

January 22, 1974

HOUSE BILL NO. 135, Prime sponsor: Representative Paris, conserving geothermal resources, reported by Committee on Natural Resources.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Flanagan, Gilleland, Hansen, Hansey, Haussler, Julin, Kilbury, Kishimoto, Schumaker.

MINORITY recommendation: That the substitute bill do not pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Conner.

January 22, 1974

ENGROSSED HOUSE BILL NO. 387, Prime sponsor: Representative Wojahn, implementing law relating to school district organization, reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, beginning with line 13 (being line 17 of the printed bill), strike all material down to and including the period on page 5, line 9 (being line 13 of the printed bill) and insert the following:

"Sec. 3. Section 2, chapter 10, Laws of 1970 ex. sess. as amended by section 7, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.180 are each amended to read as follows:

No primary shall be held relating to the office of state superintendent of public instruction or(~~7 except~~) for school districts of the first class having an enrollment of fifty thousand pupils or more in class AA counties(~~7 officers of other first class school districts~~) or school districts divided into director districts under sections 1 and 2 of this 1974 amendatory act, if, after the last day allowed for candidates to withdraw, there are no more than two candidates filed for each position to be filled. In such event all candidates concerned shall be notified. Names of candidates that would have been printed upon the primary ballot, but for the provisions of this section, shall be printed upon the

general election ballot alphabetically in groups under the designation of the respective titles of the offices for which they are candidates.

Sec. 4. Section 29.21.210, chapter 9, Laws of 1965 as last amended by section 8, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.210 are each amended to read as follows:

((Except)) For school districts of the first class having an enrollment of fifty thousand pupils or more in class AA counties((?)) or school districts divided into director districts under sections 1 and 2 of this 1974 amendatory act, the positions of school directors for school districts ((embracing a city of over one hundred thousand population)) and the candidates therefor shall appear separately on the nonpartisan ballot in substantially the following form:

SCHOOL DIRECTOR ELECTION BALLOT

To vote for a person make a cross (X) in the square at the right of the name of the person for whom you desire to vote.

School District Directors

.....to be nominated

No. 1

Vote for One

.....  
.....  
.....

No. 2

Vote for One

.....  
.....  
.....

To Fill Unexpired Term

No. -----

2 (or 4) year term

Vote for One

.....  
.....

Sec.5. Section 29.21.230, chapter 9, Laws of 1965 as last amended by section 9, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.230 are each amended to read as follows:

((Except)) For school districts of the first class having an enrollment of fifty thousand pupils or more in class AA counties((?)) or school districts divided into director districts under sections 1 and 2 of this 1974 amendatory act, the name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes at the primary for a school

district position of school director ((for school districts embracing a city of over one hundred thousand population) shall appear on the general election ballot under the designations therefor(=: PROVIDED; That if any candidate for a position receives a majority vote; his name alone shall be placed on the general election ballot for that position))."

On page 1, beginning on line 1 of the title after "districts;" strike all material down to and including "29.21.230;" on line 6 and insert "amending section 2, chapter 10, Laws of 1970 ex. sess. as amended by section 7, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.180; amending section 29.21.210, chapter 9, Laws of 1965 as last amended by section 8, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.210; amending section 29.21.230, chapter 9, Laws of 1965 as last amended by section 9, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.230;"

Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hoggins, Johnson, Lysen, Warnke.

January 23, 1974

HOUSE BILL NO. 1180, Prime sponsor: Representative Thompson, relating to purchases of election materials, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Brown, Erickson, Knowles.

January 23, 1974

HOUSE BILL NO. 1196, Prime sponsor: Representative Parker, making changes in the unemployment compensation laws, reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, King, May, Parker.

January 23, 1974

HOUSE BILL NO. 1208, Prime sponsor: Representative Smith, providing for electrical contractor qualifying certificates, reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 14, after "director of" strike "motor vehicles" and insert "labor and industries"

Signed by Representatives Jastad, Vice Chairman; Adams, Ceccarelli, Curtis, Gallagher, Juelling, Leckenby, Newhouse, Perry, Randall.



January 22, 1974

HOUSE BILL NO. 1234, Prime sponsor: Representative Brown, substituting a state hearing examiner appointed by state board of education to perform duties of county committees on school district organization, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hayner, Hendricks, Hoggins, Kishimoto, Lysen, Warnke.

January 22, 1974

HOUSE BILL NO. 1239, Prime sponsor: Representative Brown, reclassifies school districts with respect to number of enrolled students rather than total population of area and limits classification to first and second class districts, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hayner, Hendricks, Hoggins, Johnson, Kishimoto, Lysen, Pullen, Warnke.

January 22, 1974

HOUSE BILL NO. 1294, Prime sponsor: Representative Bauer, enumerating additional impediments to local registration of teachers' certificates and additional grounds for revocation thereof, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hayner, Hendricks, Johnson, Kishimoto, Warnke.

January 22, 1974

HOUSE BILL NO. 1296, Prime sponsor: Representative Warnke, reaffirming limited rights of state board of education over private schools, reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, beginning on line 5 strike all of section 3 and renumber the remaining sections consecutively

On page 6, immediately following the old section 8 insert a new section as follows:

"NEW SECTION. Sec. 8. Section 4, chapter 215, Laws of 1971 ex. sess. and RCW 28A.02.210 are each repealed."

Renumber the remaining section consecutively

On line 9 of the title after "RCW 28A.02.200;" insert "repealing section 4, chapter 215, Laws of 1971 ex. sess. and RCW 28A.02.210;"

Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hayner, Hendricks, Kishimoto, Warnke.

January 22, 1974

HOUSE BILL NO. 1300, Prime sponsor: Representative Conner, reinstating Memorial Day and Veterans' Day on same day as holidays for other state employees, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hayner, Hendricks, Kishimoto, Pullen, Warnke.

January 22, 1974

HOUSE BILL NO. 1302, Prime sponsor: Representative Ceccarelli, providing for changes in the laws regulating industrial development corporations, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Eikenberry, Kelley, Leckenby, Luders, Matthews, Pardini, Parker, Polk, Van Dyk.

January 23, 1974

HOUSE BILL NO. 1341, Prime sponsor: Representative King, providing for an educational employment relations act, reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, after section 2, strike the remainder of the bill and insert the following:

" NEW SECTION. Sec. 3. As used in this chapter:

(1) The term 'person' includes one or more individuals, organizations, unions, associations, partnerships, corporations, boards, committees, commissions, agencies, or other entities, or their representatives.

(2) The term 'employer' includes any school district and any board of trustees of any state community college district.

(3) The terms 'employee' and 'educational employee' include any certificated employee of a school district, or faculty member of a community college who has regular contact with students, participates in the development, implementation or evaluation of an educational program, or is otherwise involved in the teaching-learning process, except:

(a) the chief executive officer of the employer;

(b) other officers of the employer appointed to policymaking positions; and

(c) confidential employees as defined in subsection (7) of this section.

The terms shall not be limited to the employees of a particular employer, and shall include any person whose work has ceased as a consequence of, or in connection with, any unlawful act as defined in section 10 of this 1974 act.

(4) The term 'employee organization' includes any organization, union, association, agency, committee, council, or group of any kind in which employees participate, and which exists for the purpose, in whole or in part, of bargaining collectively with employers over the terms and conditions of employment and other matters of mutual concern relating thereto.

(5) The term 'exclusive representative' includes any employee organization which has:

(a) been selected or designated pursuant to the provisions of section 6 of this 1974 act as the representative of the employees in an appropriate collective bargaining unit; or

(b) prior to the effective date of this chapter, been recognized under a predecessor statute as the representative of the employees in an appropriate collective bargaining or negotiations unit.

(6) The term 'supervisor' includes any employee having authority in the interest of an employer to hire, assign, promote, transfer, layoff, recall, suspend, discipline or discharge other employees, or to adjust their grievances, or to recommend effectively such action if in connection with the foregoing the exercise of such authority is not merely routine or clerical in nature but calls for the consistent exercise of independent judgment, and shall not include any persons solely by reason of their membership on a faculty tenure or other governance committee or body. The term 'supervisor' shall include only those employees who perform a preponderance of the above-specified acts of authority.

(7) The term 'confidential employee' includes:

(a) any person who participates directly on behalf of an employer in the formulation of labor relations policy, the preparation for or conduct of collective bargaining, or the administration of collective bargaining agreements, except that the role of such person is not merely routine or clerical in nature but calls for the consistent exercise of independent judgment; and

(b) any person who assists and acts in a confidential capacity to such person.

(8) The term 'commission' means the education employment relations commission established by section 4 of this 1974 act: PROVIDED, That if the legislature creates another board, commission, or division of a state agency comprehensively assuming administrative responsibilities for labor relations or collective bargaining, 'commission' for the purposes of this 1974 act will mean such board, commission, or division as therein created.

(9) The term 'collective bargaining' or 'bargaining' means the performance of the mutual obligation of the representatives of the employer and the exclusive representative to meet at reasonable times, in light of the budgetmaking process and other relevant factors, and to confer, consult and bargain in good faith to reach agreement with respect to the terms and conditions of

employment and other matters of mutual concern relating thereto, and to execute, if requested by either party, a written contract incorporating any agreements reached, but such obligation does not compel either party to agree to a proposal or to make a concession. The duty to bargain shall extend to subjects which:

(a) were subjects of bargaining or negotiation under a predecessor statute; or

(b) are or may be the subject of a statute, ordinance, regulation or other enactment by the state, community college district, or the school district.

If legislative action is necessary to implement any agreement reached, the duty to bargain shall include the obligation of the employer to submit such agreement to the appropriate governmental body for action.

(10) The term 'labor dispute' means any controversy concerning terms and conditions of employment or other matters of mutual concern relating thereto, or concerning the representation of employees for the purpose of collective bargaining, regardless of whether the disputants stand in the proximate relation of employer and employee.

(11) In determining whether any person is acting as an 'agent' of another person so as to make such other person responsible for his acts, the question of whether the specific acts performed were actually authorized or subsequently ratified shall not be controlling.

NEW SECTION. Sec. 4. (1) There is hereby created the 'education employment relations commission', which shall consist of five members who shall be appointed by the governor by and with the advice and consent of the senate. One of the original members shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years. Their successors shall be appointed for terms of five years each, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he succeeds. Commission members shall be eligible for reappointment. The governor shall designate one member to serve as chairman of the commission. Any member of the commission may be removed by the governor, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(2) A vacancy in the commission shall not impair the right of the remaining members to exercise all the powers of the commission, and three members of the commission shall, at all times, constitute a quorum. The commission shall have an official seal which shall be judicially noticed.

(3) Members of the commission, when performing commission business, shall receive compensation at the rate of forty dollars per day, and shall be reimbursed for actual and necessary travel and subsistence expenses when performing commission business away from their places of residence. The commission shall employ an executive director and may employ such other persons as it may from time to time find necessary for the proper performance of its functions and as may from time to time be appropriated for by the legislature.

(4) The principal office of the commission shall be in Olympia, but it may meet and exercise any or all of its powers at any other place within the state, and may establish and operate regional offices. The commission may, by one or more of its members or by such agents or agencies as it may designate, prosecute any inquiry necessary to its functions in any part of the state. A member who participates in such an inquiry shall not be disqualified from subsequently participating in a decision of the commission in the same case.

(5) The commission is authorized to issue, amend and rescind such rules and regulations as may be necessary to carry out the provisions of this chapter and is expressly empowered and directed to prevent any person from engaging in conduct in violation of this chapter. In order to carry out its functions under this chapter, the commission is authorized to hold hearings, subpoena witnesses, administer oaths and take the testimony or deposition of any person under oath, and in connection therewith, to issue subpoenas requiring the production and examination of any books or papers, including those of the state or any political subdivision thereof, relating to any matter pending before it and to take such other action as may be necessary.

NEW SECTION. Sec. 5. (1) Employees shall have the right to form, join, or assist employee organizations, to participate in collective bargaining with employers through representatives of their own choosing and to engage in other activities, individually or in concert, for the purpose of establishing, maintaining, or improving terms and conditions of employment and other matters of mutual concern relating thereto.

(2) Employee organizations shall have:

(a) access at reasonable times to areas in which employees work, the right to use the employer's bulletin boards, mailboxes, and other communication media, subject to reasonable regulation, and the right to use the employer's facilities at reasonable times for the purpose of meetings concerned with the exercise of the rights guaranteed by this chapter; and

(b) the right to have deducted from the salary of employees, upon receipt of an appropriate authorization form which shall not be irrevocable for a period of more than one year, an amount equal to the fees and dues required for membership. Such fees and dues shall be deducted monthly from the pay of all appropriate certificated employees by the employer and transmitted as provided for by agreement between the employer and the exclusive bargaining representative.

(3) After certification of an exclusive bargaining representative and upon said representative's request, the commission shall hold an election among employees in a bargaining unit to determine by a majority of those voting whether to require as a condition of employment membership in the certified exclusive bargaining representative on or after the thirtieth day following the beginning of employment or the date of such election, whichever is the later, and the failure of an employee to comply with such a condition of employment shall constitute cause for dismissal: PROVIDED, That no more often than once in each

twelve month period after expiration of twelve months following the date of the original election in the bargaining unit and upon petition of thirty percent of the members of a bargaining unit the commission shall hold an election to determine whether a majority of those voting in such election wish to rescind such condition of employment: PROVIDED FURTHER, That for purposes of this clause membership in the certified exclusive bargaining representative shall be satisfied by the payment of monthly or other periodic dues and shall not require payment of initiation, reinstatement, or any other fees or fines and shall include full and complete membership rights.

(4) Notwithstanding subsection (3) of this section, in order to safeguard the right of nonassociation of educational employees based on bona fide religious tenets or teachings of a church or religious body of which such public employee is a member, such educational employee shall pay to the exclusive representative, for the purposes within the program of the representative as designated by such employee that would be in harmony with his individual conscience, an amount of money equivalent to regular dues, fees, and assessments required of a member, minus any included monthly premiums for exclusive representative sponsored insurance programs, and such employee shall not be a member of the exclusive representative, but shall be entitled to all representation rights of a member. If the employee and representative of the labor organization do not reach agreement on the matter the commission shall designate a charity to which the funds shall be contributed.

NEW SECTION. Sec. 6. (1) The employee organization designated or selected for the purpose of collective bargaining by the majority of the employees in an appropriate collective bargaining unit shall be the exclusive representative of all the employees in such unit for such purpose, and an employer shall not bargain in regard to matters covered by this chapter with any employee, group of employees, or other employee organization. Nothing contained in this subsection shall prevent employees, individually or as a group, from presenting complaints informally to an employer and from having such complaints adjusted without the intervention of the exclusive representative for the collective bargaining unit of which they are a part, as long as such representative is given an opportunity to be present at that adjustment and to make its views known, and as long as the adjustment is not inconsistent with the terms of an agreement between the employer and the exclusive representative which is then in effect.

(2) Any employee organization may file a request for recognition as the exclusive representative under subsection (1) of this section with an employer and the commission. Such request shall allege that a majority of the employees in an appropriate collective bargaining unit wish to be represented for the purpose of collective bargaining by such organization, shall describe the grouping of jobs or positions which constitute the unit claimed to be appropriate, shall be supported by credible evidence demonstrating that a majority of the employees in

the appropriate unit desire the organization requesting recognition as their exclusive representative, and shall indicate the name, address, and telephone number of any other interested employee organization, if known to the requesting organization. The employer shall, within three days after receipt of a request, post a copy thereof on a bulletin board at each facility in which members of the unit claimed to be appropriate are employed. The request shall remain posted for a period of ten days from the date on which the commission directs that it be posted.

Such request for recognition shall be granted by the employer unless:

(a) the employer has a good faith doubt as to the accuracy or validity of the evidence demonstrating majority support in an appropriate unit or as to the appropriateness of the claimed unit; or

(b) there is currently in effect a lawful written collective bargaining agreement between the employer and another employee organization covering any employees included in the unit described in the request for recognition; or

(c) within the previous twelve months another employee organization has been lawfully recognized or certified as the exclusive representative of any employees included in the unit described in the request for recognition; or

(d) the commission has, within the previous twelve months, conducted a secret ballot election involving any employees included in the unit described in the request for recognition in which a majority of the valid ballots cast chose not to be represented by any employee organization: PROVIDED, That an employer shall not grant a request for recognition filed pursuant to this subsection but shall refer the matter to the commission pursuant to subsection (3) (b) of this section if another employee organization files with the employer a competing request for recognition within ten days after the posting or notice of the original request, which competing request is supported by credible evidence demonstrating that at least thirty percent of the employees in the appropriate collective bargaining unit desire such organization as their exclusive representative.

An employee organization that is granted recognition pursuant to this subsection shall file a written notice to that effect with the commission within ten days after being granted such recognition. Such notice shall be kept in a public docket maintained by the commission for a period of ten days during which period a petition may be filed with the commission by another employee organization, in accordance with rules and regulations prescribed by the commission for such filing, challenging the recognition. If the recognition is not challenged during the ten day period, or if it is challenged but the challenge is not sustained, the recognition shall become final and the case shall be closed. The employee organization shall thereafter be eligible for certification by the commission pursuant to subsection (5) (c) of this section.

(3) A petition may be filed with the commission in accordance with rules and regulations prescribed by it for such filing, asking it to investigate and decide the question of whether employees have selected or designated

an exclusive representative under subsection (1) of this section by:

(a) an employer alleging that it has received a request for exclusive recognition from one or more employee organizations and has a good faith doubt as to the accuracy or validity of the evidence demonstrating majority support in an appropriate unit or as to the appropriateness of the claimed unit; or

(b) by an employee organization alleging that it has filed a request for recognition as exclusive representative with an employer and that such request has been denied or has not been acted upon within thirty days after the filing of said request; or

(c) an employee organization alleging that a majority of the employees in an appropriate unit wish to be represented for the purpose of collective bargaining by such organization; or

(d) by one or more employees in an appropriate collective bargaining unit asserting that the employees in an appropriate unit no longer desire a particular employee organization as their exclusive representative, in which event such petition must be supported by signed statements to that effect from at least thirty percent of the employees in the appropriate collective bargaining unit.

(4) Upon receipt of such a petition, the commission or its agents shall conduct such inquiries and investigations or hold such hearings as it shall deem necessary in order to decide the question raised by the petition. The commission's determination may be based upon the evidence adduced in such inquiries, investigations or hearings as it or its agents shall make or hold, or upon the results of a secret ballot election as it shall direct and conduct if deemed necessary: PROVIDED, That no employee organization shall appear on a ballot unless it submits credible evidence demonstrating that at least thirty percent of the employees in the appropriate collective bargaining unit desire it as their exclusive representative: PROVIDED FURTHER, That the commission shall dismiss without determining the questions raised therein any petition filed pursuant to subsection (3) of this section if:

(a) the petition is filed pursuant to subsection (3) (a) and is not supported by credible evidence demonstrating that at least thirty percent of the employees in the collective bargaining unit described therein wish to be represented for the purpose of collective bargaining by the organization seeking recognition; or

(b) there is currently in effect a lawful written collective bargaining agreement between such employer and an employee organization other than the petitioner covering any employees included in the unit described in the petition, unless such agreement has been in effect for more than three years, or unless the request for recognition if filed less than sixty days prior to the expiration date of such agreement or such greater number of days prior to that expiration date as the commission may determine is reasonable because of the budget-making procedure of the employer; or

(c) within the previous twelve months an employee organization other than the petitioner, or other than the



employee organization challenged if the petition is filed pursuant to subsection (3) (c) of this section, has been lawfully recognized or certified as the exclusive representative of any employees included in the unit described in the petition; or

(d) the commission has, within the previous twelve months, conducted a secret ballot election involving any employees included in the unit described in the petition in which a majority of the valid ballots cast chose not to be represented by any employee organization.

(5) The commission shall certify an employee organization as the exclusive representative of the employees in an appropriate collective bargaining unit if:

(a) the organization receives a majority of the valid ballots cast in an election conducted pursuant to subsection (4) of this section; or

(b) the commission determines, as provided in subsection (4) of this section, without an election that the organization represents an uncoerced majority of the employees in such unit and that such majority status was achieved without the benefit of unlawful employer assistance as defined in section 10 (1) of this 1974 act, or that the organization would represent such an uncoerced majority if the employer had not engaged in unlawful acts as defined in section 10 (1) of this 1974 act; or

(c) upon the request of an employee organization that has been recognized by an employer pursuant to subsection (2) of this section, the commission is satisfied that the organization represents an uncoerced majority of employees in such unit and that such majority status was achieved without the benefit of unlawful employer assistance as defined in section 10 (1) of this 1974 act.

(6) In each case in which the appropriateness of the claimed unit is in issue, the commission shall decide the question on the basis of the community of interest among the employees, their wishes, and/or their established practices, including, among other things, the extent to which such employees have joined an employee organization and in a manner which shall avoid overfragmentation of the employees of the employer: PROVIDED, That:

(a) a unit that includes both supervisors and nonsupervisors may be considered appropriate if a majority of the employees in each category indicate by vote or other credible evidence that they desire to be included in such unit; and

(b) except in community college districts, a unit including educational employees shall not be considered appropriate unless it includes all nonsupervisory educational employees of the employer and notwithstanding the definition of collective bargaining, a unit that contains only supervisors shall be limited in scope of bargaining to compensation, hours of work, and duration of employment contracts during the school year.

(c) In school districts authorized to operate vocational-technical institutes, notwithstanding all other provisions of this 1974 amendatory act, employees in such vocational-technical institutes shall be considered to constitute an appropriate bargaining unit.

(7) A determination by the commission that an employee organization has been selected as the exclusive representative for the employees in an appropriate unit shall not be subject to judicial review or other collateral attack.

NEW SECTION. Sec. 7. (1) Either an employer or an exclusive representative may declare that an impasse has been reached between them in collective bargaining over the terms and conditions of employment and other matters of mutual concern relating thereto, and may request the commission to appoint a mediator for the purpose of assisting them in reconciling their differences and resolving the controversy on terms which are mutually acceptable. If the commission determines that an impasse exists, it shall, in no event later than five days after the receipt of a request, appoint a mediator in accordance with rules and regulations for such appointment prescribed by the commission. The commission may, on its own volition, declare that an impasse has been reached in collective bargaining over the terms and conditions of employment and other matters of mutual concern relating thereto and appoint a mediator. The mediator shall meet with the parties or their representatives, or both, forthwith, either jointly or separately, and shall take such other steps as he may deem appropriate in order to persuade the parties to resolve their differences and effect a mutually acceptable agreement. The mediator shall not, without the consent of both parties, make findings of fact or recommend terms of settlement. The services of the mediator, including, if any, per diem expenses, shall be provided by the commission without cost to the parties. Nothing in this subsection shall be construed to prevent the parties from mutually agreeing upon their own mediation procedure and in the event of such agreement, the commission shall not appoint its own mediator unless failure to do so would be inconsistent with the effectuation of the purpose and policy of this chapter.

(2) If the mediator is unable to effect settlement of the controversy within ten days after his appointment, either party may, by written notification to the other, request that their differences be submitted to fact-finding with recommendations. Such recommendations shall be advisory only, unless within three days after giving or receiving the aforesaid written request, the exclusive representative notifies the employer, in writing, that it desires the recommendations of the fact-finder to be binding. Within five days after receipt of the aforesaid written request for fact-finding, the parties shall select a person to serve as fact-finder and obtain a commitment from that person to serve. If they are unable to agree upon a fact-finder or to obtain such a commitment within that time, either party may request the commission to designate a fact-finder. The commission shall, within five days after receipt of such request, designate a fact-finder in accordance with rules and regulations for such designation prescribed by the commission. The fact-finder so designated shall not, without the consent of both parties, be the same person who was appointed mediator pursuant to subsection (1) of this section.

The fact-finder shall, within five days after his appointment, meet with the parties or their representatives, or both, forthwith, either jointly or separately, and may make inquiries and investigations, hold hearings, and take such other steps as he may deem appropriate. For the purpose of such hearings, investigations and inquiries, the fact-finder shall have the power to issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence. The several departments, commissions, divisions, authorities, boards, bureaus, agencies and officers of the state, or any political subdivision thereof, shall furnish the fact-finder, upon his request, with all records, papers and information in their possession relating to any matter under investigation by or in issue before the fact-finder. If the dispute is not settled within ten days after his appointment, the fact-finder shall make findings of fact and recommend terms of settlement, which recommendations shall be advisory only, unless the exclusive representative has previously notified the employer that such recommendations are to be binding in which case they shall be binding.

(3) If the recommendations of the fact-finder are binding:

(a) the exclusive representative shall be prohibited from engaging and employees shall be prohibited from participating in a strike for the purpose of resolving a dispute which has been submitted to the fact-finder and in regard to which he has recommended terms of settlement, and nothing contained in this chapter shall prevent a court from granting a restraining order or temporary or permanent injunction in a case involving a strike for such purpose; and

(b) the parties shall comply with the recommendations of the fact-finder: PROVIDED, That if the employer does not have the legal authority to comply with such recommendations or any part thereof, it shall take such actions as may be necessary to enable it to comply, including the submission of good faith requests to appropriate legislative bodies.

(4) If the recommendations of the fact-finder are advisory only, they shall, together with the findings of fact, be submitted in writing to the parties and the commission privately before they are made public. Either the commission, the fact-finder, the employer or the exclusive representative may make such findings and recommendations public if the dispute is not settled within five days after their receipt from the fact-finder.

(5) The costs for the services of the fact-finder, including, if any, per diem expenses and actual and necessary travel and subsistence expenses, and any other mutually incurred costs, shall be borne equally by the commission. Any individually incurred costs shall be borne by the party incurring them.

(6) Nothing in this section shall be construed to prohibit an employer and an exclusive representative from agreeing to substitute their own procedure for resolving impasse in collective bargaining for that provided herein or from agreeing to utilize for the purposes of this

section any other governmental or other agency or person in lieu of the commission.

(7) Any fact-finder designated by an employer and an exclusive representative, the commission or any other governmental or other agency or person for the purposes of this section shall be deemed an agent of the state.

**NEW SECTION.** Sec. 8. (1) An employer and an exclusive representative who enter into an agreement covering terms and conditions of employment and other matters of mutual concern relating thereto may include in such agreement procedures for binding arbitration of such disputes as may arise involving the interpretation or application of such agreement or of established policies or practices of such employer affecting terms and conditions of employment and other matters of mutual concern relating thereto.

(2) If such agreement does not include procedures of the type provided for in subsection (1) of this section, either party to the agreement may submit such disputes to binding arbitration pursuant to rules and regulations prescribed for such purpose by the commission.

(3) Where a party to such agreement is aggrieved by the failure, neglect, or refusal of the other party to proceed to arbitration pursuant to the procedures provided therefor in such agreement or pursuant to subsection (2) of this section, such aggrieved party may file a complaint in the superior court for the county in which the main offices of the school district or community college district is located for a summary action without jury seeking an order directing that the arbitration proceed pursuant to the procedures provided therefor in such agreement or pursuant to subsection (2) of this section.

(4) Unless the award of the arbitrator is deficient because:

(a) it was procured by corruption, fraud, or other misconduct; or

(b) of partiality of the arbitrator; or

(c) the arbitrator exceeded his powers or so imperfectly executed them that a final and definite award upon the subject matter was not made, such award shall be final and binding upon the parties and may be enforced by the filing of a complaint in the superior court for the county in which the main offices of the school district or community college district is located for a summary action without jury. Utilization of the procedures provided for in sections 10 and 11 of this 1974 act shall not be a precondition to the filing of such a complaint.

**NEW SECTION.** Sec. 9. (1) Except as otherwise expressly provided in subsections (2) and (3) of this section and in subsection (3) of section 7 of this 1974 act, nothing in this chapter or in any other law or enactment of the state, or any political subdivision thereof, shall be construed to interfere with, impede, or diminish the right of an exclusive representative to engage or of an employee to participate in:

(a) a strike arising out of or in connection with a labor dispute; or

(b) picketing in support of such a strike.

(2) A restraining order or temporary or permanent injunction may be granted in a case involving a strike by

an exclusive representative arising out of or in connection with a labor dispute, only on the basis of findings of fact made by the superior court for the county in which the main office of the school district or community college district is located after due notice and hearing prior to the issuance of such restraining order or injunction that:

(a) the commencement or continuance of such strike poses a clear and present danger to the public health or safety which in light of all relevant circumstances it is in the best public interest to prevent: PROVIDED, That any restraining order or injunction issued by a court for this reason shall prohibit only such specific act or acts as shall be expressly determined in those findings of fact to pose such clear and present danger and shall remain in effect only for so long as such clear and present danger continues to exist; or

(b) the exclusive representative, has failed to make a reasonable effort to utilize the procedures provided in section 7 of this 1974 act for the resolution of impasse in collective bargaining: PROVIDED, That any restraining order or injunction issued by a court for this reason shall indicate the specific act or acts which the representative has failed to perform and shall remain in effect only until said act or acts shall have been performed.

(3) Nothing contained in this chapter shall prevent a court from granting a restraining order or temporary or permanent injunction in a case involving a strike in violation of any lawful provision of an agreement covering terms and conditions of employment and other matters of mutual concern relating thereto entered into by an employer and an exclusive representative pursuant to this chapter.

NEW SECTION. Sec. 10. (1) It shall be unlawful for an employer to:

(a) impose or threaten to impose reprisals on any employee, discriminate or threaten to discriminate against any employee or otherwise interfere with, restrain, or coerce any employee because of his exercise of rights guaranteed by this chapter; or

(b) dominate, interfere with or assist in the formation or administration of any employee organization; or

(c) encourage or discourage membership in any employee organization by discrimination in regard to hire, tenure of employment or any term or condition of employment: PROVIDED, That nothing contained in this subsection shall prevent an employer from requiring, as a condition of continued employment, payment to or membership in an exclusive representative pursuant to section 5 (3) of this 1974 act, respectively: PROVIDED FURTHER, That no employer shall justify any discrimination against any employee for nonmembership in any employee organization if he has reasonable grounds for believing such membership was:

(i) not available to the employee on the same terms and conditions generally applicable to other members; or

(ii) denied or terminated for reasons other than the failure of the employee to tender the dues, fees and assessments uniformly required as a condition of acquiring or retaining membership; or

(d) deny to any employee organization the rights guaranteed to it by this chapter; or

(e) refuse or fail to bargain in good faith with an exclusive representative if requested to do so, which shall include, among other things, sending individual employment contracts to or otherwise attempting to deal directly with employees in the appropriate unit in regard to terms and conditions of employment and other matters of mutual concern relating thereto while bargaining is in progress; or

(f) fail to comply with any lawful provision of an agreement covering terms and conditions of employment and other matters of mutual concern relating thereto, or the award of an arbitrator issued pursuant to the procedures referred to in section 8 (1) or (2) of this 1974 act; or

(g) fail to comply with any provision of this chapter.

(2) It shall be unlawful for:

(a) an employee organization to restrain or coerce any employee in the exercise of the rights guaranteed to him by this chapter but this subsection shall not impair the right of an employee organization to prescribe its own rules with respect to the acquisition or retention of membership therein; or

(b) an employee organization to restrain or coerce an employer in the selection of its representative for the purpose of collective bargaining or the adjustment of grievances; or

(c) an exclusive representative to refuse or fail to bargain in good faith with an employer if requested to do so; or

(d) fail to comply with any lawful provision of an agreement covering terms and conditions of employment and other matters of mutual concern relating thereto, or the award of an arbitrator issued pursuant to the procedures referred to in section 8 (1) or (2) of this 1974 act, unless that award is deficient under section 8 (4) of this 1974 act; or

(e) fail to comply with any provision of this chapter.

NEW SECTION. Sec. 11. (1) The commission is empowered to prevent any person from engaging in any unlawful act as defined in section 10 of this 1974 act. This power shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, law, or otherwise.

(2) If the commission determines that any person has engaged in or is engaging in any such unlawful act as defined in section 10 of this 1974 act, then the commission shall issue and cause to be served upon such person an order requiring such person to cease and desist from such unlawful act, and to take such affirmative action as will effectuate the purpose and policy of this chapter, including the payment of damages and/or the reinstatement of employees.

(3) The commission may petition the superior court for the county in which the main office of the school district or community college district is located or wherein the person who has engaged or is engaging in such unlawful act resides or transacts business, for the enforcement of its order and for appropriate temporary relief.

NEW SECTION. Sec. 12. Except as otherwise expressly provided herein, nothing in this chapter shall be construed to annul, modify or preclude the renewal or continuation of any lawful agreement entered into prior to the effective date of this chapter between an employer and an employee organization covering terms and conditions of employment and other matters of mutual concern relating thereto.

NEW SECTION. Sec. 13. Contracts or agreements, or any provision thereof entered into between boards of trustees pursuant to this 1974 amendatory act shall not be affected by or be subject to chapter 28B.19 RCW.

Sec. 14. Section 1, chapter 105, Laws of 1973 1st ex. sess. and RCW 28A.01.130 are each amended to read as follows:

The term 'certificated employee' as used in RCW 28A.58.450 through 28A.58.515, 28A.58.445, 28A.67.065, 28A.67.070, and 28A.67.074, and this 1974 amendatory act each as now or hereafter amended, shall include those persons who hold certificates as authorized by rule or regulation of the state board of education or the superintendent of public instruction.

Sec. 15. Section 22, chapter 34, Laws of 1969 ex. sess. and RCW 28A.67.065 are each amended to read as follows:

Every board of directors, in accordance with procedure provided in (( RCW 28A.72-030 )) this 1974 amendatory act, shall establish an evaluative criteria and procedures for all certificated employees. Such procedure shall require not less than annual evaluation of all employees. New employees shall be evaluated within the first ninety calendar days of their employment. Every employee whose work is judged unsatisfactory shall be notified in writing of stated areas of deficiencies along with recommendations for improvement by February 1st of each year. A probationary period shall be established from February 1st to April 15th for the employee to demonstrate improvement.

NEW SECTION. Sec. 16. (a) The following acts or parts of acts are each hereby repealed:

(1) Section 28A.72.010, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.010;

(2) Section 28A.72.020, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.020;

(3) Section 28A.72.030, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.030;

(4) Section 28A.72.050, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.050;

(5) Section 28A.72.060, chapter 223, Laws of 1969 ex. sess., section 3, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.060;

(6) Section 28A.72.070, chapter 223, Laws of 1969 ex. sess., section 4, chapter 52, Laws of 1969 ex. sess. and RCW 28A.72.070;

(7) Section 28A.72.080, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.080;

(8) Section 28A.72.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.72.090;

(9) Section 1, chapter 115, Laws of 1973 1st ex. sess. and RCW 28A.72.100;

(10) Section 1, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.010;

(11) Section 2, chapter 196, Laws of 1971 ex. sess., section 1, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.020;

(12) Section 3, chapter 196, Laws of 1971 ex. sess., section 2, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.030;

(13) Section 4, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.050;

(14) Section 5, chapter 196, Laws of 1971 ex. sess., section 3, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.060;

(15) Section 6, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.070;

(16) Section 7, chapter 196, Laws of 1971 ex. sess., section 5, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.080;

(17) Section 8, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.090;

(18) Section 9, chapter 196, Laws of 1971 ex. sess. and RCW 28B.52.100;

(19) Section 4, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.035; and

(20) Section 6, chapter 205, Laws of 1973 1st ex. sess. and RCW 28B.52.200.

(b) All laws or parts of laws of the state inconsistent with the provisions of this 1974 amendatory act are modified or repealed as necessary to remove such inconsistency, and this 1974 amendatory act shall take precedence over all ordinances, rules, regulations or other enactments of the state, or any agency or political subdivision thereof. Except as otherwise expressly provided herein, nothing contained in this 1974 amendatory act shall be construed to deny or otherwise abridge any rights, privileges or benefits granted by law to employees.

NEW SECTION. Sec. 17. If any provision of this 1974 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 18. This 1974 amendatory act shall take effect on September 1, 1974.

NEW SECTION. Sec. 19. Sections 1 through 12 of this 1974 act shall constitute a new chapter in Title 41 RCW."

Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, King, May, Parker.

January 23, 1974

HOUSE BILL NO. 1373. Prime sponsor: Representative Laughlin, making changes in the laws controlling noxious weeds, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Hansey, Laughlin, Schumaker, Tilly, Van Dyk.



January 22, 1974

HOUSE BILL NO. 1412, Prime sponsor: Representative Williams, creating the office of community development, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 12, section 21, line 27 after "condition" insert "and which are in effect on the effective date of this act"

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bluechel, Ehlers, Hendricks, Kopet, Perry, Polk, Thompson.

January 23, 1974

HOUSE CONCURRENT RESOLUTION NO. 62, Prime sponsor: Representative Adams, requiring the department of social and health services to develop a cost-related reimbursement system for nursing homes, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 22 after "homes" insert "and intermediate care facilities"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Fortson, Hendricks, Honan, Jastad, Johnson, Rabel, Savage, Tilly, Wojahn.

## MOTION

On motion of Mr. Thompson, all bills and resolutions listed on the fifth order of business on today's agenda, were referred to the Committee on Rules for second reading.

## MOTION

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

## THIRD READING

HOUSE BILL NO. 830, by Representatives Hansey, Randall and Berentson:

Clarifying the laws relating to aircraft hazards.

## MOTION

On motion of Mr. Thompson, House Bill No. 830 was rereferred to the Committee on Rules.

ENGROSSED HOUSE BILL NO. 474, by Representatives Smith, Bluechel, Sommers, Bausch, King, Ehlers, Zimmerman, Bauer, Blair and Gaspard:

Allowing state, city, and county employees to engage in certain political activities.

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

Mr. Smith spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 474, and the bill passed the House by the following vote: Yeas, 73; nays, 20; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Parker, Patterson, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gilleland, Hayner, Julin, Kishimoto, Kraabel, Kuehnle, Matthews, Newhouse, Polk, Rabel, Schumaker, Tilly.

Not voting: Representatives Berentson, Hansen, Morrison, Pardini, Paris.

Engrossed House Bill No. 474, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I was off the floor and missed the vote on Engrossed House Bill No. 474, but I would like the record to show my vote as "yea."

WILLIAM PARIS, 18th District.

HOUSE BILL NO. 1011, by Representatives Flanagan, Randall and Newhouse:

Providing for assessment of livestock upon monthly average stock basis.

The bill was read the third time.

## MOTION

On motion of Mr. Thompson, the rules were suspended, and House Bill No. 1011 was returned to second reading for the purpose of amendment.

On motion of Mr. Flanagan, the following amendments were adopted:

Strike section 1 of the bill and insert the following:

"Section 1. Section 84.40.020, chapter 15, Laws of 1961 as last amended by section 1, chapter 69, Laws of 1973 and RCW 84.40.020 are each amended to read as follows:

All real property in this state subject to taxation shall be listed and assessed every year, with reference to its value on the first day of January of the year in which it is assessed. Such listing and all supporting documents and records shall be open to public inspection during the regular office hours of the assessor's office; PROVIDED, That confidential income data is exempted from public inspection pursuant to RCW 42.17.310. All personal property in this state subject to taxation shall be listed and assessed every year, with reference to its value and ownership on the first day of January of the year in which it is assessed: PROVIDED, That if the stock of goods, wares, merchandise, livestock or material, whether in a raw or finished state or in process of manufacture, owned or held by any taxpayer on January 1 of any year does not fairly represent the average stock carried by such taxpayer, such stock shall be listed and assessed upon the basis of the monthly average of stock owned or held by such taxpayer during the preceding calendar year or during such portion thereof as the taxpayer was engaged in business."

In line 2 of the title after "1961 as" strike "amended by section 35, chapter 149, Laws of 1967 ex. sess." and insert "last amended by section 1, chapter 69, Laws of 1973"

House Bill No. 1011 was ordered engrossed.

## MOTION

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1011 was placed on final passage.

Mr. Flanagan spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1011, and the bill passed the House by the following vote: Yeas, 92; nays, 4; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen,

Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Douthwaite, Shinpoch, Warnke.

Not voting: Representatives Berentson, Morrison.

Engrossed House Bill No. 1011, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 138, by Representatives Kilbury and Kopet:

Changing the rate of interest on delinquent property taxes from a variable rate to a uniform rate.

#### MOTION

On motion of Mr. Thompson, the rules were suspended, and House Bill No. 138 was returned to second reading for the purpose of amendment.

Mr. Conner moved adoption of the following amendment:

On page 1, section 1, line 19 strike "eight" and insert "ten"

Representatives Conner and Newhouse spoke in favor of the amendment, and Representatives Pullen and Cunningham spoke against it.

The amendment was adopted on a rising vote.

Mr. Conner moved adoption of the following amendments:

On page 2, section 1, line 4 strike "eight" and insert "ten"

On page 2, section 1, line 13 strike "eight" and insert "ten"

Mr. Cunningham demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the amendments by Mr. Conner to House Bill No. 138, and the amendments were adopted by the following vote: Yeas, 47; nays, 45; not voting, 6.

Voting yea: Representatives Amen, Bauer, Beck, Benitz, Blair, Brown, Clemente, Conner, Curtis, Ellis, Freeman, Gaines, Gilleland, Haussler, Hoggins, Honan, Jastad, Kelley, Kilbury, King, Knowles, Kraabel, Kuehnle,

Laughlin, Lysen, Martinis, Matthews, Maxie, May, Moon, Nelson, Newhouse, North L., Pardini, Parker, Patterson, Perry, Rabel, Savage, Shinpoch, Sommers, Thompson, Tilly, Valle, Williams, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barnes, Bausch, Bender, Bluechel, Ceccarelli, Charette, Charnley, Cunningham, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Gallagher, Garrett, Gaspard, Goltz, Hansey, Hayner, Hendricks, Hurley, Johnson, Juelling, Kalich, Kishimoto, Kopet, Leckenby, Luders, McCormick, North F., O'Brien, Paris, Polk, Pullen, Randall, Schumaker, Smith, Van Dyk, Warnke, Wilson, Wojahn.

Not voting: Representatives Berentson, Chatalas, Fortson, Hansen, Julin, Morrison.

#### STATEMENT FOR THE JOURNAL

I wish the record to show that I voted "No" on the Conner amendments to House Bill No. 138.

ELEANOR FORTSON, 10th District.

House Bill No. 138 was ordered engrossed.

#### MOTION

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 138 be placed on final passage.

Mrs. Hurley demanded an electric roll call, and the demand was sustained.

Mr. Newhouse spoke in favor of the motion, and Mr. Leckenby spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Conner to advance House Bill No. 138 to final passage, and the motion carried by the following vote: Yeas, 66; nays, 29; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Barnes, Bauer, Beck, Bender, Benitz, Blair, Brown, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Ellis, Erickson, Flanagan, Gaines, Gallagher, Gilleland, Goltz, Hansen, Haussler, Hendricks, Hoggins, Honan, Jastad, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Newhouse, North F., North L., Pardini, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bausch, Bluechel, Ceccarelli, Charnley, Douthwaite, Eikenberry, Eng, Fortson, Freeman, Garrett, Gaspard, Hansey, Hayner, Hurley, Johnson, Juelling, Julin, Kishimoto, Leckenby, Lysen, O'Brien, Paris, Polk, Pullen, Schumaker, Van Dyk, Warnke, Wojahn.

Not voting: Representatives Berentson, Morrison, Nelson.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be Engrossed House Bill No. 138 on final passage.

Mr. Kilbury spoke in favor of the bill, and Representatives Bluechel and Pullen spoke against it.

Mr. Kilbury spoke again in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 138, and the bill passed the House by the following vote: Yeas, 53; nays, 41; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bauer, Beck, Bender, Benitz, Blair, Brown, Clemente, Conner, Curtis, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gilleland, Goltz, Hansen, Haussler, Hoggins, Honan, Jastad, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Martinis, Matthews, May, Moon, Newhouse, North L., Pardini, Parker, Patterson, Rabel, Sommers, Thompson, Tilly, Valle, Wilson, Zimmerman.

Voting nay: Representatives Bagnariol, Barnes, Bausch, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Cunningham, Douthwaite, Ehlers, Eikenberry, Eng, Gallagher, Gaspard, Hansey, Hayner, Hendricks, Hurley, Johnson, Julin, Kishimoto, Leckenby, Lysen, Maxie, McCormick, North F., O'Brien, Paris, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Van Dyk, Warnke, Williams, Wojahn.

Not voting: Representatives Berentson, Morrison, Nelson, and Mr. Speaker.

Engrossed House Bill No. 138, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

Please cast my vote on House Bill No. 1011 and House Bill No. 138 as "Yes."

GARY A. NELSON, 21st District.

ENGROSSED HOUSE BILL NO. 582, by Representatives Martinis, Pardini, Thompson, Charnley and Kraabel:

Providing for the study and preservation of wild, scenic and recreational rivers.

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

Representatives Luders and North (Lois) spoke in favor of the bill, and Representatives Zimmerman and Anderson spoke against it.

POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Tilly.

Mr. Tilly: "Representative Luders, I was wondering if you could share with the body the fiscal impact on this bill?"

Mr. Luders: "Yes, it would cost the Department of Natural Resources, who will administer this bill, \$154,599. Nearly all of this would be absorbed in the hearing process. Many times we hear people say 'Let's let government get back to the people.' If you're going to have hearings in a local area then you are going to have to pay people to go there and have the hearings. The total cost of this \$154,000 is to allow people to go in the area and have these hearings."

Representatives Hurley, Kraabel and Luders spoke in favor of the bill, and Representatives Tilly, Anderson, Schumaker and Curtis spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 582, and the bill passed the House by the following vote: Yeas, 59; nays, 36; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Gaines, Gallagher, Gaspard, Goltz, Hoggins, Hurley, Johnson, Jueling, Julin, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Pardini, Parker, Perry, Pullen, Rabel, Randall, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams.

Voting nay: Representatives Amen, Anderson, Bauer, Benitz, Charette, Cunningham, Curtis, Erickson, Flanagan, Fortson, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Jastad, Kalich, Kishimoto, Kuehne, Laughlin, Matthews, Nelson, Newhouse, Paris, Patterson, Polk, Savage, Schumaker, Tilly, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Berentson, Morrison, and Mr. Speaker.

Engrossed House Bill No. 582, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REENGROSSED HOUSE BILL NO. 607, by Representatives Gallagher, McCormick, Knowles and Gaines:

Regulating tow trucks.

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

Representatives Gallagher, Conner and Savage spoke in favor of the bill, and Representatives Amen, Kraabel, Curtis and Leckenby spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 607, and the bill passed the House by the following vote: Yeas, 50; nays, 45; not voting, 3.

Voting yeas: Representatives Adams, Anderson, Bagnariol, Bausch, Beck, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Haussler, Honan, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, O'Brien, Parker, Perry, Savage, Shinpoch, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Voting nays: Representatives Amen, Barnes, Bauer, Bender, Benitz, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Matthews, Nelson, Newhouse, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Sommers, Thompson, Tilly, Warnke, Wilson, Zimmerman.

Not voting: Representatives Berentson, Morrison, Smith.

Reengrossed House Bill No. 607, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 662, by Representatives Parker, Fortson and Rabel:

Relating to liability of persons withdrawing blood.

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

Representatives Parker, Eikenberry and Kelley spoke in favor of the bill, and Representative Charette spoke against it.



MOTION

On motion of Mr. Thompson, Representatives Martinis, King, Moon and Smith were excused from further proceedings of the House today.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 662, and the bill passed the House by the following vote: Yeas, 68; nays, 21; not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Barnes, Bauer, Beck, Bender, Benitz, Blair, Bluechel, Brown, Chatalas, Clemente, Conner, Cunningham, Curtis, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Hendricks, Hoggins, Honan, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Lysen, Matthews, May, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Rabel, Randall, Savage, Schumaker, Sommers, Valle, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bausch, Ceccarelli, Charette, Charnley, Douthwaite, Ehlers, Gaines, Goltz, Haussler, Hayner, Hurley, Kilbury, Laughlin, Maxie, McCormick, Pullen, Shinpoch, Van Dyk, Warnke, Williams.

Not voting: Representatives Berentson, King, Martinis, Moon, Morrison, Perry, Smith, Thompson, Tilly.

Engrossed House Bill No. 662, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 966, by Representatives Van Dyk and Zimmerman:

Providing for determination of municipal water rates.

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

Mr. Van Dyk spoke in favor of the bill, and Mrs. North (Frances) spoke against it.

POINT OF INQUIRY

Mrs. North (Frances) yielded to question by Mr. Pullen.

Mr. Pullen: "Representative North, is it true that if we pass this bill, thousands of citizens in the unincorporated rural areas throughout the state may be denied water?"

Mrs. North (Frances): "That could be a backlash of this bill. It would be up to the municipality to decide whether they wanted to or not serve the outside customers

and it may resolve in the fact that they would decide not to because of water rates--low water rates, and then they could refuse water distribution to out of town customers, which, in many cases, would be very bad."

Mr. Pullen spoke against the bill, and Mr. Haussler spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 966, and the bill passed the House by the following vote: Yeas, 63; nays, 29; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Eikenberry, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hayner, Hendricks, Jastad, Johnson, Julin, Kelley, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Matthews, May, McCormick, Moon, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Randall, Savage, Schumaker, Shinoch, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Beck, Blair, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Garrett, Hansen, Hoggins, Honan, Hurley, Jueling, Kalich, Kilbury, Kraabel, Maxie, Nelson, North F., North L., Polk, Pullen, Rabel, Sommers, Tilly, Wilson.

Not voting: Representatives Berentson, King, Martinis, Morrison, Smith, and Mr. Speaker.

Engrossed House Bill No. 966, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 122, by Committee on Judiciary (Originally sponsored by Representatives Benitz, May, Hayner, Ceccarelli, Hendricks, McCormick, Paris and Schumaker):

Making it unlawful to display indecent material.

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

Representatives Benitz, May, Blair and Hayner spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 122, and the bill passed the House by the following vote: Yeas, 91; nays, 0; not voting, 7.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz,

Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, May, McCormick, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Berentson, King, Martinis, Moon, Morrison, Smith, and Mr. Speaker.

Substitute House Bill No. 122, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 556, by Representatives Maxie, Rabel and King:

Providing for student participation in community college tenure process.

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

Representatives Maxie, Rabel and Charnley spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 556, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, May, McCormick, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Jueling.

Not voting: Representatives Berentson, King, Martinis, Moon, Morrison, Smith.

Engrossed House Bill No. 556, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 597, by Committee on Social and Health Services (Originally sponsored by Representatives Thompson, Zimmerman and Laughlin):

Providing for the development of public water supply systems.

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

Mr. Zimmerman spoke in favor of the bill, and Mrs. Fortson spoke against it.

Mr. Charnley spoke in favor of the bill, and Mr. Zimmerman again spoke in favor of it.

#### POINT OF INQUIRY

Mr. Zimmerman yielded to question by Mr. Williams.

Mr. Williams: "I would like to relate a situation that has developed in Seattle recently and ask you if you would tell me what the response to that situation would be. The city of Seattle has recently embarked on a program of covering all the reservoirs, and it created a certain amount of controversy in the city because the cost of that program can easily reach something like \$30 million. Now the arguments used for justifying that were that federal regulations and state regulations impose that requirement on the city of Seattle. It is the contention of many people in the city (and I understand this has also occurred in Portland) that although our water supply here is pure, officially protected, etc., this program is being imposed. Yet the funds to fund it will have to come from local taxpayers--from the residents of Seattle. Would this bill settle that question definitely and require that the city of Seattle cover all of the reservoirs at that cost?"

Mr. Zimmerman: "This bill would not settle that particular matter. I would give a little stronger emphasis possibly for the settling of this; however, having talked with some of your Seattle people about that measure, that issue really will have to be resolved within the city jurisdictions of Seattle as to whether or not they proceed with covering the reservoirs. Now because of the tremendous opposition in some parts of the city, I think they have gone back to the planning board and as I understand it, have come up with some considerably improved ways of covering them. As far as financing them, that will, of course, be on the water department--within their own funding they will have to do that. I don't think this particular measure will really change that question, one way or another."

Mr. Williams spoke against the measure.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 597, and the bill passed the House by the following vote: Yeas, 69; nays, 21; not voting, 8.

Voting yeay: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hendricks, Honan, Hurley, Johnson, Julin, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Matthews, Maxie, May, McCormick, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Shinpoch, Thompson, Tilly, Valle, Van Dyk, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Conner, Eng, Flanagan, Fortson, Hansen, Hayner, Jastad, Juelling, Kalich, Kelley, Kilbury, Kraabel, Lysen, North F., Pullen, Savage, Schumaker, Sommers, Warnke, Williams.

Not voting: Representatives Berentson, Hoggins, King, Martinis, Moon, Morrison, Smith, and Mr. Speaker.

Engrossed Substitute House Bill No. 597, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1026, by Representatives Van Dyk, North (Lois), Goltz, Kilbury, Douthwaite, Fortson, Charnley, Rabel, Lysen, Sommers and Kelley:

Providing for a state-wide system of unit pricing in grocery stores.

MOTION

On motion of Mr. Charette, further consideration of Engrossed House Bill No. 1026 was deferred, and the bill was ordered placed at the top of tomorrow's third reading calendar.

HOUSE BILL NO. 253, by Representatives Kopet, Wojahn, Curtis and Leckenby:

Providing procedures for use of confidential information within the department of social and health services.

MOTION

On motion of Mr. Charette, House Bill No. 253, was rereferred to the Committee on Rules.

## MOTION

On motion of Mr. Charette, the House reverted to the sixth order of business.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 1063, by Committee on Transportation and Utilities (Originally sponsored by Representatives Douthwaite and Kraabel):

Changing the laws relating to metropolitan municipal corporations.

The bill was read the second time.

On motion of Mr. Douthwaite, the following amendment by Representatives Douthwaite and Kraabel was adopted:

On page 4, section 3, line 9 strike "potential bus equipment lessees," and insert "private certificated carriers"

Mr. Freeman moved adoption of the following amendment:

On page 2, section 1, line 19 after "of" strike "packages," and after "passengers" strike "((only))" and insert "only"

Representatives Freeman and Kuehnle spoke in favor of the amendment, and Representatives North (Frances), Kraabel and Perry spoke against it.

The amendment was lost.

Substitute House Bill No. 1063 was ordered engrossed.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1063 was placed on final passage.

Mr. Douthwaite spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1063, and the bill passed the House by the following vote: Yeas, 83; nays, 7; not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Maxie, May, McCormick, Nelson, Newhouse, North F.,

North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Curtis, Flanagan, Freeman, Hansey, Hoggins, Kuehnle, Tilly.

Not voting: Representatives Bender, Berentson, King, Leckenby, Martinis, Matthews, Moon, Morrison.

Engrossed Substitute House Bill No. 1063, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1226, by Committee on Transportation and Utilities (Endorsed by Representatives McCormick, Nelson, Gilleland, Patterson, Berentson, Ceccarelli, Beck, Pullen, Garrett, Gaines, Laughlin, Clemente, Bender, Kraabel, Hansen, Perry, Lysen, Gallagher, Leckenby and Charnley):

Regulating metro vehicles.

The bill was read the second time.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1226 was placed on final passage.

Representatives Perry and Leckenby spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1226, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, May, McCormick, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Berentson, Julin, King, Martinis, Moon, Morrison.

House Bill No. 1226, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Charette, further consideration of the bills on today's second reading calendar was deferred and they were ordered placed on tomorrow's second reading calendar.

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

On motion of Mr. Thompson, the following bills were rereferred from the Rules Committee to the committees designated: HOUSE BILL NO. 393 to Committee on Financial Institutions; HOUSE BILL NO. 546 to Committee on Financial Institutions; HOUSE BILL NO. 90 to Committee on Ways and Means - Appropriations; HOUSE BILL NO. 383 to Committee on Local Government.

On motion of Mr. Thompson, HOUSE BILL NO. 1460 was rereferred from the Committee on Social and Health Services to the Committee on Labor.

On motion of Mr. Thompson, HOUSE BILL NO. 1469 was rereferred from the Committee on Agriculture to the Committee on Local Government.

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

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Friday, January 25, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



## TWELFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, January 25, 1974.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

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

## MESSAGE FROM THE SENATE

January 24, 1974

Mr. Speaker:

The Senate has passed:

    SUBSTITUTE SENATE BILL NO. 2120,  
    REENGROSSED SENATE BILL NO. 2235,  
    ENGROSSED SENATE BILL NO. 2416,  
    ENGROSSED THIRD SUBSTITUTE BILL NO. 2843,  
    SENATE BILL NO. 2989,  
    SENATE BILL NO. 3077,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2120, by Committee on Higher Education (Originally sponsored by Senators Sandison, Canfield, Marsh and Gardner - by Joint Committee on Higher Education request):

AN ACT Relating to the council on higher education; and adding new sections to chapter 277, Laws of 1969 ex. sess. and to chapter 28B.80 RCW.

To Committee on Higher Education.

REENGROSSED SENATE BILL NO. 2235, by Senators Walgren and Herr:

AN ACT Relating to absentee voting; amending section 29.36.030, chapter 9, Laws of 1965 and RCW 29.36.030;

amending section 29.36.070, chapter 9, Laws of 1965 and RCW 29.36.070; and amending section 29.36.095, chapter 9, Laws of 1965 as amended by section 39, chapter 202, Laws of 1971 ex. sess. and RCW 29.36.095.

To Committee on Constitution and Elections.

ENGROSSED SENATE BILL NO. 2416, by Senators Bottiger and Walgren:

AN ACT Relating to motor vehicles; amending section 1, chapter 60, Laws of 1917 and RCW 9.54.030; and prescribing penalties.

To Committee on Judiciary.

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2843, by Committee on Local Government (Originally sponsored by Senator Fleming):

AN ACT Relating to local government; authorizing counties, cities, and towns to participate in and implement federally-assisted programs, including revenue sharing; providing for public corporations, commissions, and authorities in connection therewith; adding new sections to chapter 35.21 RCW; and declaring an emergency.

To Committee on Local Government.

SENATE BILL NO. 2989, by Senators Mattingly, Talley and Sellar:

AN ACT Relating to cities and towns; authorizing the payment of compensation and other benefits to members of legislative bodies of cities and towns who serve as volunteer firemen; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.11 RCW; and declaring an emergency.

To Committee on Local Government.

SENATE BILL NO. 3077, by Committee on Agriculture (Endorsed by Senators Jolly, Sellar, Washington, Day, Donohue and Matson):

AN ACT Relating to identification of horses; and adding new sections to chapter 16.57 RCW.

To Committee on Agriculture.

## MOTION

On motion of Mr. Thompson, all bills listed under the fourth order of business on today's agenda were referred to the committees designated.

## REPORTS OF STANDING COMMITTEES

January 23, 1974

HOUSE BILL NO. 29, Prime sponsor: Representative Gallagher, providing for a state lottery, reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Gallagher, Garrett, Kuehnle, Perry, Randall, Wilson.

MINORITY recommendation: The substitute bill do not pass. Signed by Representative Leckenby.

January 23, 1974

HOUSE BILL NO. 670, Prime sponsor: Representative Nelson, pertaining to local sales taxes adopted to finance local public transportation systems, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Gaines, Gallagher, Garrett, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Nelson, Patterson, Schumaker, Wilson.

January 23, 1974

HOUSE BILL NO. 1041, Prime sponsor: Representative Kilbury, relating to agriculture, reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Hansey, Haussler, Laughlin, Schumaker, Tilly, Van Dyk.

January 24, 1974

HOUSE BILL NO. 1194, Prime sponsor: Representative Smith, establishing eligibility requirements for commercial herring fishing licenses, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 11 after "April" strike "1" and insert "((4)) 15"

Signed by Representatives Martinis, Chairman; Anderson, Clemente, Flanagan, Gilleland, Hansen, Hansey, Haussler, Kalich, Kilbury, Kishimoto.

January 23, 1974

HOUSE BILL NO. 1273, Prime sponsor: Representative Curtis, providing for filling of vacancies in fire commissioner positions, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 9 after "shall" insert ", within thirty days."

On page 1, section 1, line 10 after "by" strike "((the" and insert "the county legislative authority ("

On page 1, section 1, line 11 after "commissioners))" strike "a majority vote of the remaining fire commissioners"

On page 1, section 1, line 13 beginning after "qualified." strike all the matter down to and including "election." on line 18

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Adams, Amen, Blair, Honan, Kuehnle, Laughlin, McCormick, Nelson, North (Frances), Paris, Patterson, Sommers.

January 24, 1974

HOUSE BILL NO. 1297, Prime sponsor: Representative Martinis, authorizing certain inspections by the department of game, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 11 after "of fish" insert ", except any private domicile used exclusively as such, or any quarters in any boat, building or other property used exclusively as a private domicile,"

Signed by Representatives Martinis, Chairman; Anderson, Clemente, Flanagan, Gilleland, Hansey, Haussler, Kalich, Kilbury, Kishimoto.

January 23, 1974

HOUSE BILL NO. 1337, Prime sponsor: Representative Kilbury, authorizing irrigation districts to pay certain insurance premiums, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 8 after "employees" strike the remainder of the section and insert "((and pay the premium therefor:)) : The same insurance may be made available to the directors but the total cost of such insurance shall be borne by the directors."

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Adams, Amen, Blair, Honan, Kishimoto, Kuehnle, Laughlin, McCormick, North (Frances), Patterson, Sommers.

January 23, 1974

HOUSE BILL NO. 1391, Prime sponsor: Representative O'Brien, protecting water quality near public bathing beaches, reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 20 after "hours" strike "between sunset and dawn" and insert "of darkness"

On page 1, section 2, line 22 after "water" strike all material down to and including "ecology" on line 23 and insert ": PROVIDED, That the provisions of this subsection shall apply only between April 15 and September 15 of each year"

On page 1, section 2, line 27 after "assessed" insert "and recovered by the same procedures"

Signed by Representatives Luders, Chairman; Beck, Bluechel, Charnley, Douthwaite, Goltz, Kraabel, North (Lois), Pullen, Valle, Zimmerman.

January 24, 1974

ENGROSSED SUBSTITUTE SENATE BILL NO. 2006, Prime sponsor: Senator Peterson, revoking hunting licenses for certain violations, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Anderson, Clemente, Gilleland, Hansen, Hansey, Haussler, Kalich, Kilbury, Kishimoto.

#### MOTION

On motion of Mr. Thompson, all standing committee reports listed on today's fifth order of business were referred to the Committee on Rules for second reading.

#### SECOND READING

HOUSE JOINT MEMORIAL NO. 17, by Representatives Martinis, Savage, Smythe, Conner, Thompson and Wilson:

Petitioning Congress to enact legislation to protect employee pension rights.

(For previous action, see Journal for tenth day, 3rd ex. sess., January 23, 1974.)

POINT OF INFORMATION

Mr. Savage: "You said we were on the second amendment, wasn't it the first amendment that was pending?"

The Speaker: "The first amendment has been adopted. That was on page 1, line 18; this one is on page 1, line 21."

The Speaker stated the question before the House to be the amendment to page 1, line 21, by the Committee on State Government.

ROLL CALL

The Clerk called the roll on the second committee amendment to House Joint Memorial No. 17, and the amendment failed by the following vote: Yeas, 10; nays, 82; nays, 6.

Voting yea: Representatives Blair, Flanagan, Hoggins, Honan, Jueling, Leckenby, Matthews, North L., Pardini, Rabel.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Benitz, Eikenberry, Johnson, Julin, Kraabel, Kuehnle.

Mr. Williams moved adoption of the third committee amendment.

The amendment was not adopted.

Mr. Martinis moved adoption of the following amendment: On page 2, line 3 after "legislation to" strike "require" and insert "consider" and after "portability," insert "and require"

Mr. Savage spoke in favor of the amendment, and the amendment was adopted.

House Joint Memorial No. 17 was ordered engrossed.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Joint Memorial No. 17 was placed on final passage.

Mr. Martinis spoke in favor of the memorial.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 17, and the memorial passed the House by the following vote: Yeas, 86; nays, 7; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Flanagan, Freeman, Gilleland, Kuehnle, Matthews, Polk, Schumaker.

Not voting: Representatives Eikenberry, Johnson, Julin, Kraabel, Rabel.

Engrossed House Joint Memorial No. 17, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 288, by Representative Kilbury:

Relating to agriculture.

## MOTION

On motion of Mr. Thompson, further consideration of House Bill No. 288 was deferred, and the bill was ordered placed after House Joint Memorial No. 4 on today's second reading calendar.

HOUSE BILL NO. 833, by Representatives Blair, Paris, Douthwaite, Van Dyk, Rabel and Chatalas (by Executive request):

Defining standards and functions of county and city jails.

The bill was read the second time.

## MOTION

On motion of Mr. Haussler, Substitute House Bill No. 833 was substituted for House Bill No. 833, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 833 was read the second time.

Mr. Blair moved adoption of the following amendment:

On page 1, section 1, line 6 after "use of" strike "available"

Mr. Blair spoke in favor of the amendment, and Mr. Kuehnle spoke against it.

The amendment to Substitute House Bill No. 833 by Representative Blair was not adopted.

On motion of Mr. Paris, the following amendment was adopted:

On page 3, section 3, line 8 after "who" strike "has served on the governor's task force on jail improvements" and insert "is also a member of this committee's subcommittee on county, city jail standards"

Substitute House Bill No. 833 was ordered engrossed.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 833 was placed on final passage.

Representatives Haussler and Blair spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 833, and the bill passed the House by the following vote: Yeas, 89; nays, 5; not voting, 4.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.



Voting nay: Representatives Cunningham, Flanagan, Kuehnle, Schumaker, Tilly.  
Not voting: Representatives Beck, Eikenberry, Johnson, Julin.

Engrossed Substitute House Bill No. 833, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1084, by Representative Moon:

Setting the maximum rate of interest permitted on time deposits of public funds.

The bill was read the second time and passed to the Committee on Rules for third reading.

HOUSE BILL NO. 1133, by Committee on Social and Health Services (Endorsed by Representatives Adams, Parker, May, Jastad, Fortson, Ellis, Johnson, Wojahn, Savage, Matthews, Freeman, Rabel, Eng, Hendricks and Kelley):

Prohibiting discrimination against licensed health professionals employed by or associated with health care service organizations.

#### MOTION

On motion of Mr. Thompson, further consideration of House Bill No. 1133 was deferred, and the bill was ordered placed after House Bill No. 288 on today's second reading calendar.

HOUSE BILL NO. 1144, by Representatives Ceccarelli, Pardini and Perry:

Providing for health care of newborn infants.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal for fifth day, 3rd ex. sess., January 18, 1974.)

On motion of Mr. Ceccarelli the committee amendments to page 1 were adopted.

On motion of Mr. Ceccarelli, the following amendment by Representatives Ceccarelli and Pardini, to the committee amendment to page 2, section 3 was adopted:

In line 4 of the committee amendment, after "more than" strike "thirty" and insert "one hundred twenty"

The committee amendment to page 2, section 3, line 2 as amended by Representatives Ceccarelli and Pardini, was adopted.

On motion of Mr. Ceccarelli, the committee amendment to page 2, section 4 was adopted.

House Bill No. 1144 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1144 was placed on final passage.

Mr. Ceccarelli spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Barnes.

Mr. Barnes: "You said that under state law children are not covered until they are 14 days old. Does this mean that there is state law existing now that prohibits coverage until they are 14 days old?"

Mr. Ceccarelli: "No."

Mr. Barnes: "So it is possible to cover them without this legislation?"

Mr. Ceccarelli: "Yes, this is true."

Mr. Barnes: "I understand that insurance companies are for this type of legislation. I wonder why legislation is necessary? Doesn't it limit a freedom of choice for those people or groups of people who prefer not to have this type of coverage?"

Mr. Ceccarelli: "I know what you are alluding to, and we don't need any more privilege laws. The problem in the insurance field, especially the health care contracts field, is very few people realize what kind of coverage they have until it comes time to use it, and then they have a problem. They go into a hospital and find out that they don't have the coverage they thought they had. This is to make double sure that all health care contracts covering newborn infants will be covering them from birth. There are some insurance companies that are already voluntarily doing this and they are doing it because, I think, they could see that we were going to have this legislation. If we did not have this legislation, I think there are a lot of the insurance companies that still would not provide this coverage and those people would be literally left out in the cold. This is very essential legislation."

Mr. Barnes spoke against passage of Engrossed House Bill No. 1144, and Mr. Pardini spoke in favor of it.

Mr. Barnes spoke again in opposition to the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1144, and the bill passed the House by the following vote: Yeas, 91; nays, 4; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Kuehnle, Pullen, Schumaker.

Not voting: Representatives Eikenberry, Johnson, Julin.

Engrossed House Bill No. 1144, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1169, by Representatives Williams, Chatalas, Conner, Maxie, Brown and Eng (by Asian - American Advisory Council request):

Establishing the Washington commission on Asian-American affairs.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments see Journal for eighth day, 3rd ex. sess., January 21, 1974.)

Mr. Williams moved adoption of the committee amendment to page 4, line 21.

Mr. Morrison moved adoption of the following amendment to the committee amendment:

On line 3 of the committee amendment after "14." strike the remainder of the amendment, and insert "On June 30, 1977, the authority, duties, and responsibilities of the commission shall be transferred to the Human Rights Commission or its successor and the commission shall continue, as needed, in an advisory capacity to the Human Rights Commission."

Representatives Eng and Williams spoke against the amendment to the committee amendment.

The amendment to the committee amendment was lost on a rising vote.

The committee amendment was adopted.

On motion of Mr. Williams, the following amendment was adopted:

On page 4, section 13, line 20 after "effect" strike "February 1, 1974" and insert "immediately"

Mr. Williams moved adoption of the committee amendment to the title.

On motion of Mr. Williams, the following amendment to the committee amendment was adopted:

Beginning on line 4 of the amendment to the title after "emergency;" strike "making an effective date;"

The committee amendment to the title as amended was adopted.

#### POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Kopet.

Mr. Kopet: "Did you strike the part of the title amendment that was making an appropriation, because you struck the appropriation?"

Mr. Williams: "Yes."

House Bill No. 1169 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1169 was placed on final passage.

Debate ensued, Representatives Eng, Maxie, Williams, Wojahn and Pardini speaking in favor of the bill, and Representatives Cunningham, Amen and Kuehnle speaking against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1169, and the bill passed the House by the following vote: Yeas, 75; nays, 20; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Portson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Jastad,

Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Cunningham, Curtis, Freeman, Garrett, Gilleland, Hansey, Honan, Hurley, Juelling, Kelley, Kuehne, Lysen, Matthews, Nelson, Polk, Schumaker, Tilly.

Not voting: Representatives Eikenberry, Johnson, Julin.

Engrossed House Bill No. 1169, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1173, by Representatives Laughlin, Zimmerman, Bauer and Gaines:

Granting counties power to expend certain moneys.

The bill was read the second time.

#### MOTION

On motion of Mr. Conner, the following amendments by Representatives Conner and Laughlin were adopted:

On page 1, section 1, line 4 strike the remainder of the bill and insert the following:

"NEW SECTION. Section 1. There is hereby added to chapter 36.32 RCW a new section to read as follows:

The legislative authority of any county shall have the power to furnish, upon such terms as the board may deem proper, with or without consideration, financial or other assistance to any municipal corporation or political subdivision within such county for the purpose of implementing the fire protection, ambulance, medical or other emergency services provided by such municipal corporation or political subdivision: PROVIDED, That no such municipal corporation or political subdivision shall be authorized to expend any funds or property received as part of such assistance for any purpose, or in any manner, for which it could not otherwise legally expend its own funds."

On page 1, line 1 strike all of the title and insert the following:

"AN ACT Relating to counties; and adding a new section to chapter 36.32 RCW."

House Bill No. 1173 was ordered engrossed.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1173 was placed on final passage.

Mr. Laughlin spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1173, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eikenberry, Johnson, Julin.

Engrossed House Bill No. 1173, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1201, by Committee on Social and Health Services (Endorsed by Representatives Adams, Parker, Fortson, Ellis, Paris, Savage, Cunningham, Hendricks, Johnson, May, Freeman, Wojahn, Zimmerman, Gaines and Tilly):

Authorizing cities to enter into health services contracts.

The bill was read the second time.

## MOTION

On motion of Mr. Matthews, the following amendment by Representatives Matthews and Parker was adopted:

On page 1, section 1, line 12 after "people" insert "of those affected rural areas"

House Bill No. 1201 was ordered engrossed.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1201 was placed on final passage.

POINT OF INQUIRY

Mr. Matthews yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Matthews, the wording in section 2 of this bill says that any city may contract with any doctor, dentist or other health professional and in order to insure that professional service is available in the city, it may contract on any terms whatsoever without limit to be sure that this service is available. Now supposing the doctor says he must have \$25,000 a year to come into this city? The way I understand it, without any limits here, the city can go ahead and pay this doctor that amount a year to come into the city. If you read the language there, I don't see how you could interpret it any other way, but maybe there's something I don't understand there."

Mr. Matthews: "Mr. Flanagan, I think you are absolutely correct, except that I think you also have to understand that the county and city officials, whoever it might be making this decision, are also under the same gun that we are. The people of that district elect them and I think they would act in proper discretion to so limit the terms of that contract, and I think that they would act in this discretion. I think we should leave that up to them to make that decision."

Mr. O'Brien assumed the Chair.

POINT OF INQUIRY

Mr. Matthews yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Matthews, I am confused--section 1 refers to rural areas; section 2 refers to city, town or county. Is there some confusion here, should that be urban areas in section 1 as legislative intent? I notice House Bill No. 1203 deals with county areas, this seems to deal with cities. I wonder if there is a mix-up in the language? Should it be rural or urban?"

Mr. Matthews: "I would like to impress upon you that there are cities in rural areas in this state, not just Seattle. I have several of those in my district and I think there are several other representatives that do, too. I think that those cities could be in a health manpower impacted area."

Mr. Parker spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1201, and the bill passed the House by the following vote: Yeas, 87; nays, 6; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Flanagan, Hayner, Kuehnle, Polk, Pullen, Schumaker.

Not voting: Representatives Eikenberry, Johnson, Julin, Kishimoto, and Mr. Speaker.

Engrossed House Bill No. 1201, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1203, by Committee on Social and Health Services (Endorsed by Representatives Adams, Parker, Fortson, Savage, Cunningham, Freeman, Paris, Hendricks, Johnson, May, Ellis, Wojahn, Zimmerman, Gaines and Tilly):

Authorizing counties to enter into health services contracts.

The bill was read the second time.

## MOTION

On motion of Mr. Matthews, the following amendment by Representatives Matthews and Parker was adopted:

On page 1, section 1, line 12 after "people" insert "of those affected rural areas"

House Bill No. 1203 was ordered engrossed.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1203 was placed on final passage.

Mr. Parker spoke in favor of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1203, and the bill passed the House by the following vote: Yeas, 87; nays, 6; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Flanagan, Hayner, Kuehnle, Polk, Pullen, Schumaker.

Not voting: Representatives Eikenberry, Julin, Kishimoto, Lysen, and Mr. Speaker.

Engrossed House Bill No. 1203, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1204, by Representatives Adams, Parker, May, Ellis, Savage and Hansey:

Establishing a common statewide telephone number for emergency services.

The bill was read the second time.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1204 as placed on final passage.

Mr. Adams spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Kraabel.

Mr. Kraabel: "Representative Adams, are we committing ourselves to this system or are we committing ourselves to the study only?"

Mr. Adams: "It's a study of a plan for emergency service. A study that will report back in 1977 to tell us the cost of the planned program."

## POINT OF INQUIRY

Mr. Adams yielded to question by Mrs. North (Lois).

Mrs. North: "In this study, Representative Adams, will there come back to us a fiscal note--and certainly there will be quite an added expense for this service. Is that wording in the bill?"

Mr. Adams: "Yes, they will come back with a fiscal note. We realize that there will be an expense, and no one seems to know what the cost will be, at this time. That's why we have set it over to 1977, so that they can come back and give us the information."

Representatives Rabel and Zimmerman spoke against passage of the bill.

## POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Leckenby.

Mr. Leckenby: "Mr. Adams, it would seem to me that other than furnishing the required police, fire and ambulance services, etc. that Representative Zimmerman was just speaking about, the implementation of this plan would be up to the private telephone companies. Would it be possible to accomplish this simply by having the Department of Utilities and Transportation impose upon the private telephone companies that they provide these services; and wouldn't this then eliminate the problem from state government and put it into the hands of those companies that serve us? Then it would be a user fee--the users would then pay for the additional service through their telephone bill."

Mr. Adams: "The Bell Telephone Company says that they could change over almost immediately. Outside of the coin-free dial phone, we realize that it will take some effort, some study, and some time to bring the telephone companies around to this program in the rural areas. Insofar as the utility situation is concerned, the Department of Utilities is giving that some thought too, and feel that may be one way that this will be directed."

Mr. Leckenby spoke against passage of the bill, and Mr. Adams spoke in favor of it.

Mr. Conner demanded the previous question and the demand was not sustained.

Representatives Parker and Freeman spoke in favor of the bill, and Representatives Pardini and Zimmerman spoke against it.

Mr. Charette demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1204, and the bill failed to pass the House by the following vote: Yeas, 47; nays, 47; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bausch, Beck, Bluechel, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Ellis, Erickson, Fortson, Freeman, Gaines, Gallagher, Goltz, Hansey, Haussler, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, O'Brien, Perry, Randall, Savage, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bauer, Bender, Benitz, Berentson, Blair, Brown, Charnley, Curtis, Douthwaite, Ehlers, Eng, Flanagan, Garrett, Gilleland, Hansen, Hayner, Hendricks, Hoggins, Honan, Hurley, Kishimoto, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Matthews, Morrison, Newhouse, North F., North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Shinpoch, Smith, Sommers, Tilly, Warnke, Wilson, Zimmerman.

Not voting: Representatives Eikenberry, Gaspard, Julin, Nelson.

House Bill No. 1204, having failed to receive the constitutional majority, was declared lost.

## NOTICE OF RECONSIDERATION

Mr. Parker, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which House Bill No. 1204 failed to pass the House.

## MOTIONS

On motion of Mr. Thompson, all bills remaining on the calendar were deferred, and they were ordered placed on the calendar of the next working day.

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

On motion of Mr. Thompson, HOUSE BILL NO. 430 was rereferred from the Committee on Rules to the Committee on Ways and Means - Appropriations.

On motion of Mr. Thompson, HOUSE BILL NO. 1010 was rereferred from the Committee on Ways and Means - Revenue to the Committee on Transportation and Utilities.

On motion of Mr. Thompson, HOUSE BILL NO. 1490 was rereferred from the Committee on Education to the Committee on Ways and Means - Appropriations.

On motion of Mr. Thompson, HOUSE CONCURRENT RESOLUTION NO. 61 was rereferred from the Committee on Social and Health Services to the Committee on Local Government.

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Saturday, January 26, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, January 26, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Representative William Paris, Senior Minister of the Calvary Community Church of Longview.

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

MESSAGE FROM THE SENATE

January 25, 1974

Mr. Speaker:

The Senate has passed:

REENGROSSED SENATE BILL NO. 2095,  
REENGROSSED SUBSTITUTE SENATE BILL NO. 2132,  
SENATE BILL NO. 2574,  
ENGROSSED SENATE BILL NO. 2946,  
ENGROSSED SENATE BILL NO. 2969,  
ENGROSSED SENATE BILL NO. 3078,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

REENGROSSED SENATE BILL NO. 2095, by Senators Bailey, Fleming and Lewis (Harry):

AN ACT Relating to port districts; providing that a district may appoint a treasurer; and amending section 5, chapter 348, Laws of 1955 and RCW 53.36.010.

To Committee on Local Government.

REENGROSSED SUBSTITUTE SENATE BILL NO. 2132, by Committee on Local Government (Originally sponsored by Senators Murray, Fleming and Bottiger):

AN ACT Relating to criminal justice; creating a new chapter in Title 43 RCW; creating new sections; repealing section 1, chapter 158, Laws of 1965 and RCW 43.100.010; repealing section 2, chapter 158, Laws of

1965 and RCW 43.100.020; repealing section 3, chapter 158, Laws of 1965, section 1, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.030; repealing section 4, chapter 158, Laws of 1965 and RCW 43.100.040; repealing section 5, chapter 158, Laws of 1965 and RCW 43.100.050; repealing section 6, chapter 158, Laws of 1965 and RCW 43.100.060; repealing section 7, chapter 158, Laws of 1965 and RCW 43.100.070; repealing section 8, chapter 158, Laws of 1965, section 2, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.080; repealing section 3, chapter 220, Laws of 1969 ex. sess. and RCW 43.100.085; repealing section 9, chapter 158, Laws of 1965 and RCW 43.100.090; repealing section 10, chapter 158, Laws of 1965 and RCW 43.100.100; repealing section 11, chapter 158, Laws of 1965 and RCW 43.100.110; repealing section 12, chapter 158, Laws of 1965 and RCW 43.100.120; repealing section 13, chapter 158, Laws of 1965 and RCW 43.100.130; repealing section 14, chapter 158, Laws of 1965 and RCW 43.100.140; repealing section 15, chapter 158, Laws of 1965 and RCW 43.100.150; repealing section 17, chapter 158, Laws of 1965 and RCW 43.100.160; repealing section 18, chapter 158, Laws of 1965 and RCW 43.100.170; repealing section 20, chapter 158, Laws of 1965 and RCW 43.100.900; repealing section 21, chapter 158, Laws of 1965 and RCW 43.100.910; and making an appropriation.

To Committee on Local Government.

SENATE BILL NO. 2574, by Senators Guess and Sandison:

AN ACT Relating to Eastern Washington State College; and amending section 1, chapter 28, Laws of 1971 ex. sess. and RCW 28B.40.226.

To Committee on Higher Education.

ENGROSSED SENATE BILL NO. 2946, by Committee on Parks and Recreation (Endorsed by Senators Knoblauch, Jones, Canfield, Bailey, Woody and Wanamaker):

AN ACT Relating to certain public lands; amending section 2, chapter 217, Laws of 1971 ex. sess. and RCW 79.01.470; and amending section 1, chapter 157, Laws of 1939 and RCW 79.08.080.

To Committee on Parks and Recreation.

ENGROSSED SENATE BILL NO. 2969, by Senator Lewis (Harry):

AN ACT Relating to air pollution variances; amending section 31, chapter 238, Laws of 1967 as amended by section 22, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.181; and declaring an emergency.

To Committee on Ecology.

ENGROSSED SENATE BILL NO. 3078, by Committee on Agriculture (Endorsed by Senators Jolly, Sellar, Day, Donohue and Washington):

AN ACT Relating to commission merchants; amending section 1, chapter 139, Laws of 1959 as last amended by section 1, chapter 182, Laws of 1971 1st ex. sess. and RCW 20.01.010; amending section 4, chapter 139, Laws of 1959 as amended by section 3, chapter 182, Laws of 1971 ex. sess. and RCW 20.01.040; amending section 6, chapter 139, Laws of 1959 as amended by section 4, chapter 182, Laws of 1971 ex. sess. and RCW 20.01.060; amending section 5, chapter 232, Laws of 1963 as amended by section 8, chapter 182, Laws of 1971 ex. sess. and RCW 20.01.210; amending section 37, chapter 139, Laws of 1959 as last amended by section 3, chapter 232, Laws of 1963 and RCW 20.01.370; amending section 42, chapter 240, Laws of 1967 and RCW 20.01.385; amending section 43, chapter 139, Laws of 1959 and RCW 20.01.430; and adding a new section to chapter 20.01 RCW.

To Committee on Agriculture.

#### MOTION

On motion of Mr. Thompson, all bills on the fourth order of business were referred to the committees designated on the agenda.

#### REPORTS OF STANDING COMMITTEES

January 25, 1974

HOUSE BILL NO. 380, Prime sponsor: Representative Thompson, providing for workmen's compensation cost of living increases, reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 7 strike all of section 1 and insert the following:

"Section 1. Section 17, chapter 289, Laws of 1971 ex. sess. as last amended by section 3, chapter 110, Laws of 1973 and RCW 51.32.073 are each amended to read as follows:

Each employer shall retain from the earnings of each workman that amount as shall be fixed from time to time by the director, the basis for measuring said amount to be determined by the director. The money so retained shall be matched in an equal amount by each employer, and all such moneys shall be remitted to the department in such manner and at such intervals as the department directs and shall be placed in the supplemental pension fund: PROVIDED, That the state apprenticeship council shall pay the entire amount into the supplemental pension fund for registered apprentices or trainees during their participation in supplemental and related instruction classes. The moneys so collected shall be used exclusively for the additional payments prescribed in RCW 51.32.070 and for the amount of

any increase payable under the provisions of section 2 of this 1974 amendatory act and shall be no more than necessary to make such payments on a current basis."

On page 1, beginning on line 2 of the title, after "as" strike all material down to and including "ex. sess." on line 3 and insert "last amended by section 3, chapter 110, Laws of 1973"

Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, King, May, Parker.

January 23, 1974

HOUSE BILL NO. 748, Prime sponsor: Representative Smith, making certain changes in the laws relating to probate, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Maxie, Newhouse, Smith, Sommers.

January 24, 1974

HOUSE BILL NO. 1093, Prime sponsor: Representative Adams, relating to fees for professional licenses, reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Curtis, Gallagher, Gilleland, Williams, Wilson.

January 25, 1974

HOUSE BILL NO. 1172, Prime sponsor: Representative Newhouse, providing for trial de novo in appeals from proceedings initiated in state human rights commission, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Newhouse, North (Lois), Shinpoch, Smith, Sommers.

January 24, 1974

HOUSE BILL NO. 1227, Prime sponsor: Representative Gaspard, relating to insurance rates, reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Chatalas, Kelley, Luders, Pardini, Van Dyk.



January 25, 1974

HOUSE BILL NO. 1258, Prime sponsor: Representative North (Lois), requiring interest to be paid by the state and its political subdivisions on judgments arising out of their tortious conduct, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Newhouse, North (Lois), Shinpoch, Smith.

January 25, 1974

HOUSE BILL NO. 1269, Prime sponsor: Representative Conner, adding additional judge for counties of Clallam and Jefferson jointly, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Newhouse, North (Lois), Shinpoch, Smith, Sommers.

January 24, 1974

HOUSE BILL NO. 1272, Prime sponsor: Representative Valle, providing disability insurance for services of oral surgeons licensed under the dentistry act, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Kelley, Leckenby, Luders, Matthews, Pardini, Parker, Van Dyk.

January 24, 1974

HOUSE BILL NO. 1281, Prime sponsor: Representative Luders, providing for minimum standard conditions and terminology for health care services contracts, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Luders, Pardini, Parker, Polk, Van Dyk.

January 24, 1974

HOUSE BILL NO. 1303, Prime sponsor: Representative Gaspard, providing for changes in the state securities law, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 26 after "to sell" strike all material down to and including "securities" on line 27 and insert "or resell condominium units sold in conjunction with an investment contract"

On page 2, line 1, section 1 after "director" strike "to a class or classes of" and insert "as to"

On page 4, section 6, line 26 after "21.20.270," insert "21.20.280,"

On page 10, section 8, line 3 after "((twenty-five))" strike "seventy-five" and insert "fifty"

On page 10, section 8, line 5 after "((twenty-five))" strike "seventy-five" and insert "fifty"

On page 13, section 11, line 1 after "21.20.220" strike "or" and insert "and"

On page 14, beginning on line 14 strike all of section 12 and renumber the remaining sections consecutively.

Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Chatalas, Eikenberry, Kelley, Leckenby, Luders, Matthews, Pardini, Parker.

January 25, 1974

HOUSE BILL NO. 1339, Prime sponsor: Representative Savage, providing mandatory unemployment compensation for cities, reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, King, May, Parker.

January 24, 1974

HOUSE BILL NO. 1404, Prime sponsor: Representative Ceccarelli, revising prescribed period for holding annual meetings of banks and trust companies, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Kelley, Leckenby, Luders, Matthews, Parker, Van Dyk.

#### MOTION

On motion of Mr. Thompson, all standing committee reports listed on today's fifth order of business were passed to the Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 1242, by Representatives Gallagher, Hansey, Martinis, Erickson and Parker:

Providing for the use of hand-held gear for commercial salmon fishing.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal for 10th day, January 23, 1974.)

On motion of Mr. Martinis, the committee amendment was adopted.

House Bill No. 1242 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1242 was placed on final passage.

Mr. Martinis spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1242, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Förtson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Anderson, Charette.

Not voting: Representatives Cunningham, Lysen.

Engrossed House Bill No. 1242, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE JOINT MEMORIAL NO. 4, by Representatives Hansey, Martinis, Paris, Smythe, Berentson, Nelson, Van Dyk, Schumaker, Thompson, Goltz, Bausch, Polk, Luders, Curtis, Knowles, Rabel, Freeman, Zimmerman, Bender, Hoggins, Clemente, Tilly, Bauer, Gilleland, Barden, Garrett, Hendricks, Kopet, Leckenby, Matthews, North (Lois) and Pullen:

Memorializing Oregon to prohibit commercial harvest and sale of steelhead trout.

The memorial was read the second time, and passed to the Committee on Rules for third reading.

HOUSE BILL NO. 288, by Representative Kilbury:

Relating to agriculture.

MOTION

On motion of Mr. Thompson, House Bill No. 288 was rereferred to the Committee on Ways and Means - Revenue.

HOUSE BILL NO. 1133, by Committee on Social and Health Services (Endorsed by Representatives Adams, Parker, May, Jastad, Fortson, Ellis, Johnson, Wojahn, Savage, Matthews, Freeman, Rabel, Eng, Hendricks and Kelley):

Prohibiting discrimination against licensed health professionals employed by or associated with health care service organizations.

The bill was read the second time.

MOTION

On motion of Mr. Thompson, further consideration of House Bill No. 1133 was deferred, and the bill was ordered placed on the second reading calendar following House Concurrent Resolution No. 62.

ENGROSSED HOUSE BILL NO. 150, by Representatives Haussler, Smythe, Kalich and May:

Raising mileage allowance for county officers.

The bill was read the second time.

Committee on Local Government recommendation: Do pass as amended. (For amendments, see Journal for fourth day, 3rd ex. sess., January 17, 1974.)

On motion of Mr. Haussler, the committee amendments were adopted.

Engrossed House Bill No. 150 was ordered reengrossed.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Reengrossed House Bill No. 150 was placed on final passage.

Mr. Haussler spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 150, and the bill passed the House by the following vote: Yeas, 95; nays, 3; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Conner, Eng, Kelley.

Reengrossed House Bill No. 150, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 251, by Representatives Knowles, Wojahn and Eikenberry (by Judicial Council request):

Providing wrongful death actions in the case of the death of a child.

#### MOTION

On motion of Mr. Knowles, Substitute House Bill No. 251 was substituted for House Bill No. 251, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 251 was read the second time.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 251 was placed on the calendar for final passage.

Mr. Knowles spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 251, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler,

Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Pardini.

Substitute House Bill No. 251, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 473, by Representatives Jastad, Bagnariol, Wojahn, McCormick, Savage, Kalich, Thompson, Anderson, Ceccarelli and Gaines:

Authorizing card rooms, pinball machines, punch cards and pull tabs.

#### MOTION

On motion of Mrs. Wojahn, Substitute House Bill No. 473 was substituted for House Bill No. 473, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 473 was read the second time.

On motion of Mr. Smith, the following amendments were adopted:

On page 5, section 2, line 11 add a new subsection following subsection (6) as follows:

"(7) 'Fishing derby' means a fishing contest, with the payment or giving of an entry fee or other consideration by some or all of the contestants; wherein the contestants compete with each other for a prize or prizes, whether money, merchandise or other thing of value; the prize or prizes is or are awarded based upon the lawful catching of fish by any one or more of the contestants; and when such contest is conducted by a bona fide charitable or nonprofit organization."

Renumber the remaining subsections consecutively.

On page 5, section 2, line 24 strike "(12)" and insert "(13)"

On page 9, section 2, lines 14 and 15, strike "((#3)) (12)" and insert "(13)"

On motion of Mr. Eng, the following amendment was adopted:

On page 10, section 2, line 22 after "game" and before "which" insert ", including but not limited to the game commonly known as 'Mah Jongg'."

On motion of Mr. Smith, the following amendments were adopted:

On page 11, section 3, line 31 after "games," insert "fishing derby,"

On page 12, section 3, line 25 after "games," insert "or fishing derby,"

On page 13, section 4, line 3 after "games," insert "fishing derby,"

On page 17, section 5, line 3 after "section" strike "1(8)" and insert "2(9)"

On page 17, section 5, line 9 after "section" strike "1(8)" and insert "2(9)"

On motion of Mrs. Wojahn, the following amendment was adopted:

On page 20, section 8, line 23 after "by the" insert "federal"

Mr. Charette moved adoption of the following amendment:

On page 22, beginning on line 28 insert a new section as follows:

NEW SECTION. Sec. 11. No member of the gambling commission shall intentionally obstruct or attempt to obstruct the legislative intent of this chapter.

Any person who violates this section shall be guilty of a gross misdemeanor punishable by a fine of not more than \$1000.00 or imprisonment in the county jail for not more than one year, or both such fine and imprisonment."

Re-number the remaining sections consecutively.

Mr. Charette spoke in favor of the amendment.

Representatives Julin, Pardini and Blair spoke against the amendment, and Representatives Charette, Anderson and Conner spoke in favor of it.

Mr. Newhouse demanded an electric roll call and the demand was sustained.

#### POINT OF INQUIRY

Mr. Blair yielded to question by Mr. Perry.

Mr. Perry: "You raised a point of the philosophy of the commission, and I think it's very interesting here. We write bills and statutes and they have less latitude of interpretation. I would like you to explain to me what you think the proper philosophical pinpoint within that context is as far as any commission, not just this one."

Mr. Blair: "I think just the other day I expressed my feeling that I felt that we have too many commissions in state government, and I won't retreat from that position, but I do believe that if a commission has validity and a reason to exist, then it should express within the membership a diversity of opinions and philosophies on the area of governmental control that it is administering--that it should properly bring into the commission the different ideas, as nearly as possible, that are expressed across the spectrum of the citizens of this state. So I would naturally assume that in any commission you would have

people who would feel strongly on both sides of the issue itself--the very heart of the law that they are authorized to administer."

Representative Perry spoke in favor of the amendment, and Representatives Paris and Rabel spoke against it.

#### POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Wojahn, as chairman of the Committee on Commerce that has been considering this law, I would like to ask you if you believe that legislative intent has been defined well enough so that if this amendment were to pass, it could be properly adjudicated?"

Mrs. Wojahn: "Well, Representative Leckenby, I think it has been properly defined, but I don't think it has always been carried out, and that is the only answer I can give you."

Representatives Leckenby and Matthews spoke against the amendment to Substitute House Bill No. 473.

Mr. Kuehnle moved adoption of the following amendment to the amendment by Representative Charette:

Beginning on line 5 of the amendment strike "Any person who violates this section shall be guilty of a gross misdemeanor punishable by a fine of not more than \$1000.00 or imprisonment in the county jail for not more than one year, or both such fine and imprisonment."

Representatives Charette, Schumaker and Kalich spoke in favor of the amendment to the amendment, and it was adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Mr. Charette as amended.

#### ROLL CALL

The Clerk called the roll on the amendment to Substitute House Bill No. 473 as amended, and the amendment was adopted by the following vote: Yeas, 83; nays, 15; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Parker,



Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Brown, Charnley, Douthwaite, Eng, Goltz, Julin, Kraabel, North L., Paris, Rabel, Sommers, Williams, Zimmerman.

Mr. Pullen moved adoption of the following amendment:  
On page 22, line 34 add a new section as follows:

"NEW SECTION. Sec. 13. This 1974 amendatory act shall be submitted to the people for their adoption and ratification, or rejection, at the next general election, to be held in the state in accordance with the provisions of section 1, Article II of the Constitution of the state of Washington, and section 24, Article II of the Constitution of the state of Washington, as amended, and the laws adopted to facilitate the operation thereof."

Mr. Pullen spoke in favor of the amendment, and Representatives Wojahn and Kuehnle spoke against it.

Mr. Blair spoke in favor of the amendment, and Representatives Savage and Ehlers spoke against it.

The amendment was not adopted.

Substitute House Bill No. 473 was ordered engrossed.

Engrossed Substitute House Bill No. 473 was passed to the Committee on Rules for third reading.

HOUSE BILL NO. 799, by Representatives Hayner, Benitz, Schumaker and Tilly:

Providing that county may let contract up to \$3,000 without bid.

The bill was read the second time.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 799 was placed on final passage.

Mrs. Hayner spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 799, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner,

Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Gaines, Wilson.

Not voting: Representative Kelley.

House Bill No. 799, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1077, by Representatives Wojahn, McCormick, Savage and Laughlin:

Requiring contractual provisions to provide hospitalization for alcoholism.

#### MOTION

On motion of Mrs. Wojahn, Second Substitute House Bill No. 1077 was substituted for House Bill No. 1077, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1077 was read the second time.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Second Substitute House Bill No. 1077 was placed on final passage.

Mrs. Wojahn spoke in favor of the bill, and Mr. Eikenberry spoke against it.

Mr. Ceccarelli spoke in favor of the bill.

#### POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Wojahn, presuming this bill doesn't pass, I've been wondering whether under present existing law would it be possible for a health care contractor to offer a contract or make available a contract that would be available only to nondrinkers, or for that matter, nonsmokers? Under present law can that kind of contract be offered?"

Mrs. Wojahn: "I don't know that the law speaks to that; it could be silent. I can't answer that question, Representative Flanagan."

Mr. Flanagan: "I wonder if anyone else can answer that question? What about Representative Ceccarelli?"

Mr. Ceccarelli: "Mr. Flanagan, a health care contract can be negotiated and you can just about have anything you want in it. The problem with negotiating a group policy--for example, in our state policy we're covered for alcoholism--is that these are negotiated for the employees and it would be difficult to negotiate a group contract to exclude the nonsmoker or the nondrinker."

Representatives Flanagan and Barnes spoke against Second Substitute House Bill No. 1077, and Representatives Wojahn and Kelley spoke in favor of it.

Mr. Conner demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1077, and the bill passed the House by the following vote: Yeas, 86; nays, 12; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Cunningham, Eikenberry, Hayner, Hurley, Kraabel, Kuehnle, Matthews, May, Polk, Pullen.

Second Substitute House Bill No. 1077, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House recessed until 1:45 p.m.

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AFTERNOON SESSION  
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The House was called to order at 1:45 p.m. by the Speaker. The Clerk called the roll and all members were present.

## SECOND READING

HOUSE BILL NO. 1208, by Representatives Smith, Polk, Thompson and Paris:

Providing for electrical contractor qualifying certificates.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendment, see Journal for eleventh day, 3rd ex. sess., January 24, 1974.)

On motion of Mr. Smith, the committee amendment was adopted.

House Bill No. 1208 was ordered engrossed.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1208 was placed on final passage.

Mr. Smith spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1208, and the bill passed the House by the following vote: Yeas, 86; nays, 4; not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Bluechel, Flanagan, North L., Zimmerman.

Not voting: Representatives Bausch, Hoggins, Jastad, Julin, Kelley, Kraabel, McCormick, Wojahn.

Engrossed House Bill No. 1208, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1300, by Representatives Conner, Tilly, Beck, Ellis, Bauer, Ceccarelli, Gaines and Hendricks (by Superintendent of Public Instruction request):

Reinstating Memorial Day and Veterans' Day on same days as holidays for other state employees.

The bill was read the second time.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1300 was placed on final passage.

Representatives Conner and Tilly spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1300, and the bill passed the House by the following vote: Yeas, 91; nays, 2; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Charnley.

Not voting: Representatives Charette, Hoggins, Julin, Kelley, Kraabel.

House Bill No. 1300, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1302, by Representatives Ceccarelli, Pardini and Gaspard:

Providing for changes in laws regulating industrial development corporations.

The bill was read the second time.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1302 was placed on final passage.

Mr. Ceccarelli spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1302, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Charette, Julin, Kelley, Kraabel.

House Bill No. 1302, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE CONCURRENT RESOLUTION NO. 62, by Representatives Adams, Parker and Wojahn:

Requiring the department of social and health services develop a cost-related reimbursement system for nursing homes.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal for eleventh day, 3rd ex. sess., January 24, 1974.)

On motion of Mr. Parker, the committee amendment was adopted.

On motion of Mr. Kopet, the following amendment by Representatives Kopet and Shinpoch was adopted:

On page 2, line 27 after "homes" and before the period on line 27 insert ": PROVIDED, That these cost-related reimbursement systems and reports must be presented to the Senate and House Committees on Social and Health Services and approved by the Senate and House Committees on Ways and Means prior to implementation"

House Concurrent Resolution No. 62 was ordered engrossed.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Concurrent Resolution No. 62 was placed on final passage.

Representatives Parker and Rabel spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Concurrent Resolution No. 62, and the resolution passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Charette, Kelley, Matthews.

Engrossed House Concurrent Resolution No. 62, having received the constitutional majority, was declared passed.

MOTION

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

Mr. Kelley appeared at the bar of the House.

Mr. O'Brien resumed the Chair.

### THIRD READING

ENGROSSED HOUSE BILL NO. 1026, by Representatives Van Dyk, North (Lois), Goltz, Kilbury, Douthwaite, Fortson, Charnley, Rabel, Lysen, Sommers and Kelley:

Providing for a state-wide system of unit pricing in grocery stores.

Engrossed House Bill No. 1026 was read the third time and placed on final passage.

Debate ensued, Representatives Van Dyk, North (Lois) and Moon speaking in favor of the bill, and Representatives Tilly, Curtis, Schumaker and Wojahn speaking against it.

Mr. Van Dyk spoke again in favor of the bill, and Mr. Curtis spoke again against its passage.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1026, and the bill failed to pass the House by the following vote: Yeas, 37; nays, 58; not voting, 3.

Voting yea: Representatives Bagnariol, Bender, Bluechel, Brown, Charnley, Chatalas, Clemente, Conner, Douthwaite, Fortson, Gallagher, Gaspard, Goltz, Haussler, Hoggins, Johnson, Kelley, Kilbury, King, Laughlin, Lysen, Martinis, May, North F., North L., O'Brien, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Valle, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Anderson, Barnes, Bausch, Beck, Benitz, Berentson, Blair, Ceccarelli, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Honan, Hurley, Jastad, Jueling, Julin, Kalich, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Leckenby, Luders, Matthews, Maxie, McCormick, Morrison, Nelson, Newhouse, Pardini, Paris, Parker, Patterson, Polk, Pullen, Schumaker, Thompson, Tilly, Van Dyk, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bauer, Charette, Moon.

Engrossed House Bill No. 1026, having failed to receive the constitutional majority, was declared lost.

### NOTICE OF RECONSIDERATION

Mr. Van Dyk, having voted on the prevailing side, gave notice that he would, on the next working day, move for reconsideration of the vote by which Engrossed House Bill No. 1026 failed to pass the House.



MOTION

On motion of Mr. Thompson, Mrs. North (Lois) was excused from further proceedings of the House today.

HOUSE BILL NO. 242, by Representatives Luders, Knowles, Pardini and Patterson:

Declaring it a misdemeanor to duplicate or possess a duplicate of a key to a public building.

MOTION

On motion of Mr. Thompson, the rules were suspended, and House Bill No. 242 was returned to second reading for the purpose of amendment.

House Bill No. 242 was read the second time.

Mr. Luders moved adoption of the following amendment by Representatives Luders, Hendricks, Knowles and Patterson:

On page 1, section 1, line 7 after "duplicated" insert "when said key has been stamped with the legend 'DO NOT DUPLICATE'"

POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Luders, it has suddenly occurred to me that when you do this you may have created another problem, in that it was always a little difficult to tell when a person knowingly did something. Do you need the word 'knowingly' with your amendment?"

Mr. Luders: "I wish I were a lawyer to be able to respond to you in a legal fashion, but I think just from a standpoint of safeguard, anytime you refer to an intent you probably are making the law a little more precise and explicit."

Mr. Moon spoke in favor of the amendment.

The amendment was adopted.

On motion of Mr. Luders, the following amendment by Representatives Luders, Hendricks, Knowles and Patterson was adopted:

On page 1, section 1, line 8 after "duplicated" insert "when said key has been stamped with the legend 'DO NOT DUPLICATE'"

Mr. Julin moved adoption of the following amendment:

On page 1, section 1, line 11 after "district" and before "without" insert "or private building"

Mr. Julin spoke in favor of the amendment and Mr. Luders spoke against it.

## POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Brown.

Mr. Brown: "Representative Julin, with your amendment it seems to me that this would even include my home or yours or anyone's. Let's say that I have lost the key to my front door and I want to get a duplicate, what am I going to have to do, bring documentary proof to the key maker that I own the house? What kind of procedure are we setting in motion?"

Mr. Julin: "The same procedure that would be applicable if you were the owner or custodian or responsible for a public building, Representative Brown. I submit to you that your home and mine is entitled to the same protection."

Mr. Brown spoke against the amendment, and Mr. Newhouse spoke in favor of it.

## POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Bluechel.

Mr. Bluechel: "What happens where a building is owned by an owner and has a series of tenants who have exclusive rights to certain parts of that building, and the owner of the building wants to enter the building for inspection and he has a duplicate key? I can see where you could have certain clauses in your lease where you could run into certain rather confusing situations."

Mr. Julin: "Well, I can anticipate that precise problem would exist under the language of the bill even without my amendment because there are, in fact, many public buildings or public entities, such as the port, that already do have property leased out to a number of tenants. The problem is just as great for those landlords under the language with 'public' as it is for the landlords with my language of 'private.' I see that it makes no change in that regard."

Representative Berentson spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Amen.

Mr. Amen: "I have a handful of keys here; now without that stamp on there, if this passed, would this then legalize the duplication of keys if it is not stamped on there?"

Mr. Julin: "Off the top of my head, I would say, yes."

Mr. Amen spoke against the amendment.

Mr. Thompson demanded the previous question, and the demand was sustained.

The amendment by Mr. Julin was lost on a rising vote.

House Bill No. 242 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 242 was placed on final passage.

Representatives Luders and Charnley spoke in favor of the bill, and Mr. Julin spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 242, and the bill passed the House by the following vote: Yeas, 75; nays, 22; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Shipoch, Sommers, Thompson, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Beck, Benitz, Berentson, Bluechel, Brown, Conner, Curtis, Eikenberry, Gilleland, Hansey, Haussler, Juelling, Julin, Kopet, Kuehnle, Leckenby, Pardini, Pullen, Schumaker, Smith, Tilly, Williams.

Not voting: Representative North L..

Engrossed House Bill No. 242, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Thompson, further consideration of the bills remaining on today's calendar was deferred, and they were ordered placed on the calendar for the next working day.

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

On motion of Mr. Thompson, HOUSE BILL NO. 1507 was rereferred from the Committee on State Government to the Committee on Ways and Means - Appropriations.

On motion of Mr. Thompson, HOUSE BILL NO. 29 was rereferred from the Committee on Rules to the Committee on Ways and Means - Appropriations.

Mr. Thompson moved that HOUSE BILL NO. 1341 be rereferred from the Committee on Rules to the Committee on Labor.

Mr. Cunningham spoke against the motion.

The motion was carried.

#### MOTION FOR RECONSIDERATION

Mr. Parker, having voted on the prevailing side, moved that the House do now reconsider the vote by which House Bill No. 1204 failed to pass the House.

Mr. Parker spoke in favor of the motion.

Mr. Pardini demanded an electric roll call, and the demand was sustained.

Mr. Rabel spoke against the motion, and Mr. Savage spoke in favor of it.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Benitz: "Mr. Speaker, if Representative Parker's motion carries, would we have to have another motion to roll back to second reading to add an amendment?"

The Speaker (Mr. O'Brien presiding): "Yes."

Representatives Johnson, King and Kilbury spoke in favor of the motion and Representative Zimmerman spoke against it.

Mr. Thompson demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Parker that the House reconsider the vote on final passage of House Bill No. 1204, and the motion carried by the following vote: Yeas, 57; nays, 38; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bluechel, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Honan, Jastad, Johnson, Juelling, Kelley, Kilbury, King, Knowles, Luders, Lysen, Martinis, Maxie, McCormick, Moon, O'Brien, Parker, Perry, Randall, Savage, Schumaker, Smith, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bender, Benitz, Berentson, Blair, Brown, Charnley, Curtis, Eikenberry, Flanagan, Garrett, Gilleland, Hayner, Hoggins, Hurley, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Matthews, May, Morrison, Newhouse, North F., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Shinpoch, Sommers, Tilly, Wilson, Zimmerman.

Not voting: Representatives Kalich, Nelson, North L..

The Speaker (Mr. O'Brien presiding) declared the question before the House to be reconsideration of final passage of House Bill No. 1204.

Ms. Sommers spoke against the bill.

#### MOTION

Mr. Benitz moved that the rules be suspended and House Bill No. 1204 be returned to second reading for the purpose of amendment.

Mr. Charette spoke against the motion, and the motion failed.

Representatives Ehlers and Rabel spoke against the bill on final passage.

Mr. Conner demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the reconsideration of final passage of House Bill No. 1204, and the bill failed to pass the House by the following vote: Yeas, 44; nays, 51; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Beck, Bluechel, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Ellis, Erickson, Fortson, Freeman, Gaines, Gallagher, Goltz, Hansen, Hansey, Haussler, Hendricks, Honan, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Laughlin, Luders, Moon, O'Brien, Parker, Perry, Savage, Smith, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bausch, Bender, Benitz, Berentson, Blair, Brown, Charnley, Clemente, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Flanagan, Garrett, Gaspard, Gilleland, Hayner, Hoggins, Hurley, Julin, Kelley, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Newhouse, North F., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch, Sommers, Tilly, Williams, Wilson, Zimmerman.

Not voting: Representatives Knowles, Nelson, North L..

House Bill No. 1204, having failed to receive the constitutional majority, was declared lost.

## MOTION

On motion of Mr. Thompson, the House adjourned until 10:00 a.m., Monday, January 28, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FIFTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Monday, January 28, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representative Kishimoto who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Eric Sigmar of the Messiah Lutheran Church of Auburn.

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

## MESSAGE FROM THE SENATE

January 26, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2938,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2938, by Committee on Local Government (Originally sponsored by Committee on Local Government):

AN ACT Relating to revenue and taxation; authorizing a fire protection district service charge; providing for its administration by certain county officials and a payment therefor; requiring a public hearing and election prior to imposing a service charge for support of a fire district; requiring public hearings; establishing an administrative review procedure; and adding a new chapter to Title 52 RCW.

To Committee on Ways and Means - Revenue.

## REPORTS OF STANDING COMMITTEES

January 26, 1974

HOUSE BILL NO. 90, Prime sponsor: Representative Kopet, providing for filing of personal service contracts, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Amen, Bagnariol, Bausch, Curtis, Ehlers, Gaspard, Hoggins, Kopet, Luders, Van Dyk, Warnke, Zimmerman.

January 26, 1974

HOUSE BILL NO. 931, Prime sponsor: Representative Luders, implementing the laws relating to insurance, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike everything after the enacting clause and insert:

"Section 1. Section 1, chapter 75, Laws of 1963 as last amended by section 6, chapter 147, Laws of 1973 1st ex. sess. and RCW 41.04.180 are each amended to read as follows:

Any county, municipality, or other political subdivision of the state acting through its principal supervising official or governing body may, whenever funds shall be available for that purpose provide for all or a part of hospitalization and medical aid for its employees and their dependents through contracts with regularly constituted insurance carriers or with health care service contractors as defined in chapter 48.44 RCW, for group hospitalization and medical aid policies or plans: PROVIDED, That any county, municipality, or other political subdivision of the state acting through its principal supervising official or governing body shall provide the employees thereof a choice of policies or plans through contracts with not less than two regularly constituted insurance carriers or health care service contractors or other health care plans, including but not limited to, trusts of self-insurance: AND PROVIDED FURTHER, That any county may provide such hospitalization and medical aid to county elected officials and their dependents on the same basis as such hospitalization and medical aid is provided to other county employees and their dependents: PROVIDED FURTHER, That provision for school district personnel shall not be made under this section but shall be as provided for in RCW 28A.58.420.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On line 1 of the title, after "insurance:" strike the remainder of the title and insert "amending section 1, chapter 75, Laws of 1963 as last amended by section 6, chapter 147, Laws of 1973 1st ex. sess; and declaring an emergency."

Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Luders, Pardini, Parker, Polk.



January 26, 1974

HOUSE BILL NO. 1209, Prime sponsor: Representative Fortson, extending another month time when school directors shall notify certificated employees that there is probable cause his employment contract will not be renewed, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Barnes, Brown, Clemente, Fortson, Hayner, Hendricks, Kishimoto, Pullen, Tilly.

MINORITY recommendation: Do not pass. Signed by Representative Ellis, Vice Chairman.

January 26, 1974

HOUSE BILL NO. 1214, Prime sponsor: Representative Gaspard, authorizing additional means of funding public employee deferred compensation plans, reported by Committee on Financial Institutions.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Luders, Matthews, Moon, Pardini, Parker, Polk.

January 26, 1974

HOUSE BILL NO. 1228, Prime sponsor: Representative Bluechel, authorizing school district employees and school board members to testify before the legislature and receive reimbursement for resulting expenses, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Barnes, Fortson, Hayner, Hendricks, Hoggins, Kishimoto, Lysen, Tilly, Warnke.

MINORITY recommendation: Do not pass. Signed by Representatives Ellis, Vice Chairman; Ehlers.

January 26, 1974

HOUSE BILL NO. 1231, Prime sponsor: Representative Clemente, raising monetary amounts necessary for bids for work or purchases by school districts, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Bender, Clemente, Fortson, Hayner, Hendricks, Hoggins, Kishimoto, Lysen, Warnke.

MINORITY recommendation: Do not pass. Signed by Representative Ellis, Vice Chairman.

January 25, 1974

HOUSE BILL NO. 1247, Prime sponsor: Representative Kelley, allowing recovery of costs and attorney's fees by the purchaser of a motor vehicle in a suit based on illegal replacement on the vehicle's odometer, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, add a new section immediately following section 1 as follows:

"NEW SECTION. Sec. 2. Section 6, chapter 112, Laws of 1969 and RCW 46.37.580 are each hereby repealed."

In line 2 of the title after "46.37.590;" insert "repealing section 6, chapter 112, Laws of 1969 and RCW 46.37.580;"

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Newhouse, North (Lois), Shinpoch, Smith, Sommers.

January 26, 1974

HOUSE BILL NO. 1263, Prime sponsor: Representative Valle, requiring insurance contracts to cover services of registered occupational therapists, reported by Committee on Financial Institutions.

MAJORITY recommendation; Do pass with the following amendments:

On page 1, section 1, beginning on line 8 strike all material through line 11 and insert the following:

"As used in this title 'registered occupational therapist' means an occupational therapist who

(1) Is registered and certified by the American Occupational Therapy Association; and,

(2) Is a graduate of an approved school meeting the requirements of an accredited educational program of occupational therapy established and adapted by the American Occupational Therapy Association Council on Education in collaboration with the American Medical Association Council on Medical Education."

On page 1, line 14, after "of any" strike "group"

On page 1, line 15 after "insurance contract" at the beginning of the line, strike "or blanket disability insurance contract"

Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Blair, Chatalas, Luders, Matthews, Parker.

January 26, 1974

HOUSE BILL NO. 1274, Prime sponsor: Representative Bagnariol, implementing state teachers' retirement system act and increasing certain benefits thereunder, reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Fortson, Hoggins, Johnson, Kishimoto, Lysen, Warnke.

January 25, 1974

HOUSE BILL NO. 1282, Prime sponsor, Representative Bauer, authorizing school transportation pilot programs and transferring certain programs from jurisdiction of superintendent of public instruction, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Eng, Hoggins, Johnson, Kishimoto, Lysen, Tilly, Warnke.

January 25, 1974

HOUSE BILL NO. 1283, Prime sponsor: Representative Laughlin, providing for a compact between Washington, Oregon and Idaho relating to Columbia River anadromous fish, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 2, line 20 strike "is hereby repealed" and insert "shall be of no force and effect upon ratification by Congress of the compact and the agreement provided for in section 1 of this act"

On page 2, line 27 insert the following:

"It is the intention of the legislature that the repealers contained in this section shall become effective only upon ratification of the Congress of the compact and agreement provided for in section 1 of this act."

On page 1, line 9 of the title after "River" and before the period insert "only upon approval by the Congress of the compact provided for in section 1 of this act"

Signed by Representatives Martinis, Chairman; Conner, Hansen, Hansey, Haussler, Kalich, Kilbury, Kishimoto.

January 26, 1974

HOUSE BILL NO. 1309, Prime sponsor: Representative Bauer, deleting superfluous and misleading RCW references from 1969 school building financial assistance act, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Fortson, Hoggins, Johnson, Kishimoto, Warnke.

January 26, 1974

HOUSE BILL NO. 1323, Prime sponsor: Representative Bauer, relating to insurance for public school employees, reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Brown, Ehlers, Eng, Hoggins, Johnson, Kishimoto, Lysen, Warnke.

January 26, 1974

HOUSE BILL NO. 1347, Prime sponsor: Representative Wilson, permitting retired teachers to substitute teach without losing pension payments up to an earned amount coextensive with that allowable under OASI within federal social security, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hoggins, Johnson, Kishimoto, Pullen, Tilly.

January 26, 1974

HOUSE BILL NO. 1349, Prime sponsor: Representative Erickson, allowing school districts to contract, including payment of moneys, with counties prosecuting attorney for legal services, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Fortson, Hayner, Hoggins, Kishimoto, Warnke.

January 26, 1974

HOUSE BILL NO. 1407, Prime sponsor: Representative Sommers, defining "adopted child" for purposes of the inheritance land gift tax laws, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Brown, Erickson, Goltz, Hurley, Kilbury, King, Kuehne, Moon.

MINORITY recommendation: Do not pass. Signed by Representatives Bluechel, Julin.

January 26, 1974

HOUSE BILL NO. 1420, Prime sponsor: Representative Clemente, setting forth distribution formula for state funds apportioned to school districts, reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 15 after "except that" strike "beginning in the calendar year 1975,"

On page 2, section 1, beginning on line 4 strike "Beginning in the calendar year 1975," and insert "At such time as the state property tax provided for by chapter 195, Laws of 1973 1st ex. sess. is collected,"

Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Fortson, Hoggins, Kishimoto, Lysen, Warnke.

January 26, 1974

HOUSE BILL NO. 1437, Prime sponsor: Representative Goltz, assures budgets setting forth costs arising from higher education personnel law in institutions of higher education go to director of office of program planning and fiscal management for review, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Amen, Bagnariol, Bausch, Curtis, Ehlers, Gaspard, Hoggins, Kopet, Luders, Van Dyk, Warnke, Zimmerman.

January 25, 1974

HOUSE BILL NO. 1463, Prime sponsor: Representative Perry, authorizing school districts to enter into contracts with other governmental entities to provide for transportation of both students and the public through use of school transportation facilities, reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 7 after "directors" insert "or any intermediate school district board"

Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Fortson, Hoggins, Johnson, Kishimoto, Tilly, Warnke.

January 26, 1974

HOUSE BILL NO. 1494, Prime sponsor: Representative O'Brien, including furnishing of textbooks among ancillary services of school districts, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Bender, Brown, Eng, Fortson, Hayner, Hoggins, Johnson, Lysen, Tilly, Warnke.

January 26, 1974

HOUSE BILL NO. 1507, Prime sponsor: Representative Van Dyk, providing for thermal siting fees, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Amen, Bagnariol, Bausch, Curtis, Ehlers, Gaspard, Hoggins, Kopet, Luders, Van Dyk, Warnke, Zimmerman.

January 26, 1974

HOUSE BILL NO. 1508, Prime sponsor: Representative Blair, allowing insurance rates to reflect differences on risk factors between the sexes, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Luders, Matthews, Pardini, Parker, Polk.

January 26, 1974

HOUSE BILL NO. 1544, Prime sponsor: Representative Bauer, creating a temporary special commission on common school financing, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hoggins, Kishimoto, Tilly, Warnke.

## MOTION

On motion of Mr. Thompson, all bills listed on the fifth order of business were referred to the Committee on Rules for second reading, with the exception of HOUSE BILL NO. 1274, to be rereferred to the Committee on Ways and Means - Appropriations, and HOUSE BILL NO. 1463, to be rereferred to the Committee on Transportation and Utilities.

## SECOND READING

HOUSE BILL NO. 1133, by Committee on Social and Health Services (Endorsed by Representatives Adams, Parker, May, Jastad, Fortson, Ellis, Johnson, Wojahn, Savage, Matthews, Freeman, Rabel, Eng, Hendricks and Kelley):

Prohibiting discrimination against licensed health professionals employed by or associated with health care service organizations.

The bill was read the second time.

Mr. Pardini moved adoption of the following amendment:

Following subsection (2) of section 1 add a new subsection as follows:

"(3) It shall be unlawful for any professional organization, health maintenance organization, hospital, health care contractor, medical service bureau, or similar organization to refuse to pay for services to its consumers rendered by another such or similar organization if the services are not available in the contracting organization."

#### POINT OF ORDER

Mr. Parker: "Mr. Speaker, I would like to challenge the amendment by Mr. Pardini, on the basis that it is not germane to the subject and House Rule 32."

#### RULING BY THE SPEAKER

The Speaker (Mr. Charette presiding): "The Speaker has looked at the proposed amendment by Representative Pardini to House Bill No. 1133, finds that the bill relates to the prohibition against discrimination against physicians employed or associated with group health cooperatives. House Bill No. 1133 amends the language of RCW 48.44.220 relating to discrimination on grounds of race, religion or national origin. Mr. Pardini's amendment relates to the payments for services outside the group health cooperatives. The conclusion of the Speaker is that the Pardini amendment is not germane under House Rule 32 and not within the scope and object of House Bill No. 1133, nor under Article XI, section 8 of the state Constitution because it does not pertain to discrimination. Your point of order is well taken, Mr. Parker."

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1133 was placed on final passage.

Debate ensued, Representatives Parker, Pardini and Matthews speaking in favor of the bill, and Representative Randall speaking against it.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Hansey.

Mr. Hansey: "Representative Randall, just so that I'm completely sure in my own mind and that the members are, are you saying that if a person who is a participant in a health maintenance contract is provided a service by a physicians' bureau, that the physicians' bureau would reimburse the person, whereas if a member of the physicians' bureau was treated by a health service contractor, he would not be reimbursed under this proposal?"

Mr. Randall: "I think you confuse the terms. What I said was that I'm a member of a physicians' bureau, I'm in Seattle and am involved in a car accident and I'm injured. I'm taken care of by a closed panel physician of an HMO. My bureau will pay the HMO, the doctor is on salary, he doesn't receive direct pay. My bureau will cover me in that situation. On the other hand, I'm a member of a closed panel HMO, and if I'm delivered services outside of that HMO that closed panel does not pay for the services on the other side. This amendment would have guaranteed that would happen, but we didn't get it on. I want to say that in the past few years I have had concern about freedom of choice, discriminatory practices and the like. Legislation has not been made into law that demands or threatens that any care is mandated in. The bureaus and the affected agencies have successfully, outside of writing laws to do it, negotiated that type of agreement among the participants. I think that we're hasty with this, I think that it's ill-defined, I think that given a chance the bureaus, the HMO's, can come to the kinds of agreement outside of a lot of law for this very same thing."

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Bagnariol.

Mr. Bagnariol: "Can you read the language in the bill that says a HMO will not pay for emergency services performed by a health care contracted physician outside of an area?"

Mr. Randall: "No, I don't read that. It is current practice."

Mr. Parker spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1133, and the bill passed the House by the following vote: Yeas, 71; nays, 21; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., Paris, Parker, Patterson, Polk, Savage, Shinpoch, Sommers, Thompson, Valle, Warnke, Williams, Wojahn.

Voting nay: Representatives Benitz, Berentson, Erickson, Flanagan, Goltz, Hansey, Hayner, Kishimoto, Kraabel, Kuehnle, Leckenby, Matthews, Nelson, Pardini, Pullen, Randall, Schumaker, Smith, Van Dyk, Wilson, Zimmerman.



Not voting: Representatives Kopet, O'Brien, Perry, Rabel, Tilly, and Mr. Speaker.

House Bill No. 1133, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 135, by Representatives Paris, Kilbury, Zimmerman, Douthwaite and Charnley (by Legislative Council request):

Conserving geothermal resources.

#### MOTION

On motion of Mr. Thompson, further consideration of House Bill No. 135, was deferred and the bill was ordered placed on the calendar after House Bill No. 1373.

HOUSE BILL NO. 303, by Representatives Moon, Van Dyk and Wojahn (by Legislative Council request):

Requiring statewide reporting of all fires in the state to be submitted to the state fire marshal.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendment see Journal, page 1565, 1st ex. sess.)

On motion of Mr. Williams, the committee amendment was adopted.

House Bill No. 303 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 303 was placed on final passage.

Representatives Moon and Conner spoke in favor of the bill, and Representatives Berentson and Garrett spoke against it.

Mr. Moon spoke again in favor of passage of the bill.

#### POINT OF INQUIRY

Mr. Moon yielded to question by Mr. Cunningham.

Mr. Cunningham: "Could you tell me what the purpose of section 1 of this bill really is, and why the amount of discretion that apparently is left is in there?"

Mr. Moon: "What is your question about it?"

Mr. Cunningham: "What I would like to know is why section 1 is there?"

Mr. Moon: "That is the basis of the whole bill--the recording and the coordination of the information and the analysis of the information that's put together. Certainly if you can't report the information and compile it in one place it is much more difficult to go out to each fire district and pick up the information and analyze it. The purpose of the whole bill is to make it much easier to analyze and coordinate so that you can then put in measures to prevent some of these fires. Prevention is much better than fighting these fires after they have happened, and incidentally, much less costly to the owner of the property."

Mr. Cunningham spoke against the bill.

Representatives Moon and Williams spoke in favor of the bill, and Representatives Matthews, Berentson and Kopet spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 303, and the bill failed to pass the House by the following vote: Yeas, 37; nays, 59; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bausch, Beck, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hendricks, Honan, Johnson, Kilbury, King, Knowles, Luders, Lysen, Martinis, McCormick, Moon, O'Brien, Parker, Savage, Shipoch, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bauer, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hoggins, Hurley, Jastad, Jueling, Julin, Kalich, Kelley, Kishimoto, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Matthews, Maxie, May, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Randall, Schumaker, Smith, Sommers, Tilly, Williams, Wilson, Zimmerman.

Not voting: Representatives Perry, Rabel.

#### NOTICE OF RECONSIDERATION

Mr. Williams served notice that, having voted on the prevailing side, he would on the next working day move for reconsideration of the vote by which Engrossed House Bill No. 303 failed to pass the House.

The Speaker assumed the Chair.

HOUSE BILL NO. 717, by Representatives Polk, Parker and Brown:

Relating to compensation of the organized militia.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, fifth day, January 18, 1974, 3rd ex. sess.)

On motion of Mr. Williams, the committee amendment to page 1, line 12 was adopted.

Mr. Williams moved adoption of the committee amendment to page 1, line 14.

#### POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Williams, my question is the fiscal impact of this raise in pay for the militia. Could you give us an idea of how much money we are adding to the state budget here?"

Mr. Williams: "We are not adding any money to the state budget. The moneys for this come out of the Governor's emergency fund, which is not changed."

Mr. Douthwaite: "We are giving them a raise in the pay, up to at least \$25 per day, so there must be some increase in the funding."

Mr. Williams: "I am going to ask Representative Polk to respond to this question. He is much more familiar with this bill."

Mr. Polk: "The bill as drawn had language in it that was not intended, in fact the language which we are seeking to strike with these amendments was the language that would allow the \$25 per day to be paid even during summer encampment, or if they were called to active duty. The fiscal impact on that was going to be about \$1.7 million for a two-year period, and it was only when the fiscal impact statement was made up that we discovered the error in the draftmanship here and that it was not doing what we had intended. With the amendment which you are asking about, the raise in pay or the per diem would only be paid when the Governor has called the state militia to active duty in time of an emergency--an example of that might be the Vancouver hurricane of a few years ago. The statistics which I have seen indicate that during the last biennium the additional cost would have been approximately \$5,000 to have paid these men \$25 per day while they were on active service. It might interest you to know in that regard, a private E2 now makes around \$12 a day; this would virtually double the lowest enlisted ranks pay while they are called to active duty."

The committee amendment was adopted.

On motion of Mr. Williams, the committee amendment to page 1, line 17 was adopted.

House Bill No. 717 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 717 was placed on final passage.

Mr. Polk spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 717, and the bill passed the House by the following vote: Yeas, 86; nays, 9; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Randall, Savage, Schumaker, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Douthwaite, Ellis, Eng, Erickson, Gaspard, Kelley, Lysen, Shipoch, Wojahn.

Not voting: Representatives Kalich, Perry, Rabel.

Engrossed House Bill No. 717, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 767, by Representatives Polk and Parker:

Eliminating seniority as a basis for promotion in the state military.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal, fifth day, 3rd ex., January 18, 1974.)

On motion of Mr. Williams, the committee amendments were adopted.

House Bill No. 767 was ordered engrossed.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 767 was placed on final passage.

Mr. Polk spoke in favor of the bill.

POINT OF INQUIRY

Mr. Polk yielded to question by Mr. Charette.

Mr. Charette: "Representative Polk, in the regular army they have a tradition, if not a rule, that if an officer, and particularly the field grade officers, do not make the promotion lists within a certain time, they are retired. My question is, is that the rule in this case in the National Guard?"

Mr. Polk: "I am not totally certain that I can speak to that question, Representative Charette. Realize that the National Guard officers hold a dual commission, one in the army reserves and one in our state militia. Certainly under the rules of the federal system that is the case, and if my recollection is correct, if they do not receive their promotion status in the army reserves, they are usually bounced out in the state militia; however, I cannot speak to it definitely."

Mr. Polk spoke in favor of the bill, and Mr. Moon spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 767, and the bill passed the House by the following vote: Yeas, 84; nays, 11; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jueling, Julin, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Clemente, Conner, Gallagher, Jastad, Johnson, Kalich, King, Moon, Warnke, Wojahn.

Not voting: Representatives Kelley, Perry, Rabel.

Engrossed House Bill No. 767, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. O'Brien assumed the Chair.

HOUSE BILL NO. 1180, by Representatives Thompson, Gaines and Zimmerman:

Relating to purchases of election materials.

The bill was read the second time.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1180 was placed on final passage.

Representatives Thompson and Pullen spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1180, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yeas: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Amen, Perry, Rabel, and Mr. Speaker.

House Bill No. 1180, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1211, by Representatives Haussler, Bausch, Hendricks and Van Dyk:

Providing for an alternative date for filing of final budgets by port districts.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendment, see Journal ninth day, 3rd ex. sess., January 22, 1974.)

On motion of Mr. Haussler, the committee amendment was adopted.

House Bill No. 1211 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1211 was placed on final passage.

Mrs. Johnson spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1211, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bagnariol, Perry, Rabel, Smith, and Mr. Speaker.

Engrossed House Bill No. 1211, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1234, by Representatives Brown, Randall and Hoggins:

Substituting a state hearing examiner appointed by state board of education to perform duties of county committees on school district organization.

The bill was read the second time.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1234 was placed on final passage.

Representatives Brown and Bauer spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1234, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Eikenberry, Perry, Rabel, and Mr. Speaker.

House Bill No. 1234, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1239, by Representatives Brown, Warnke and Fortson:

Reclassifies school districts with respect to number of enrolled students rather than total population of area and limits classification to first and second class districts.

The bill was read the second time.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1239 was placed on final passage.

Representatives Brown and Bauer spoke in favor of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1239, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Polk, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Pardini.

Not voting: Representatives Haussler, Perry, Rabel, and Mr. Speaker.

House Bill No. 1239, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1294, by Representatives Bauer and Hoggins (by Superintendent of Public Instruction request):

Enumerating additional impediments to local registration of teachers' certificates and additional grounds for revocation thereof.

The bill was read the second time.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1294 was placed on final passage.

Mr. Bauer spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1294, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett,

Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Hayner, Perry, Rabel, and Mr. Speaker.

House Bill No. 1294, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Charette resumed the Chair.

HOUSE BILL NO. 1296, by Representatives Warnke, O'Brien and Hayner (by Superintendent of Public Instruction request):

Reaffirming limited rights of state board of education over private schools.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal, eleventh day, 3rd ex. sess., January 24, 1974.)

On motion of Mr. Bauer, the committee amendments were adopted.

House Bill No. 1296 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1296 was placed on final passage.

Mr. O'Brien spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. O'Brien yielded to question by Mr. Moon.

Mr. Moon: "Representative O'Brien, would this take care of regulation of the education of our children who do not attend public schools?"

Mr. O'Brien: "That is the primary purpose of this bill, Mr. Moon, to set up minimum controls to change the reporting procedures required of the private schools."

Mrs. Hayner spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1296, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kraabel, Perry, Rabel.

Engrossed House Bill No. 1296, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. O'Brien resumed the Chair.

Mr. Rabel appeared at the bar of the House.

HOUSE BILL NO. 1373, by Representatives Laughlin, Haussler, Amen, Benitz, Hansen, Kilbury, Schumaker and Tilly:

Making changes in the laws controlling noxious weeds.

The bill was read the second time.

On motion of Mr. Kilbury, the following amendment by Representatives Kilbury, Amen and Hansen was adopted:

On page 5, section 4, line 26 after "district" strike the remainder of the paragraph and insert a period.

House Bill No. 1373 was ordered engrossed.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1373 was placed on final passage.

Representatives Kilbury and Kalich spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Mr. Kilbury, this 1,000 foot buffer strip that you mentioned, just exactly what will that require of the owner of the land in that particular area as far as his management of that strip on the west side of the Cascade Mountains?"

Mr. Kilbury: "This would be the bumper strip and the tansy in that area would have to be removed, and he would have to poison the tansy in that area and maintain it."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1373, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Conner.

Not voting: Representative Perry.

Engrossed House Bill No. 1373, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

## MOTIONS

On motion of Mr. Charette, all bills remaining on today's calendar were deferred, and they were ordered placed on the calendar of the next working day.

On motion of Mr. Charette, the House reverted to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

January 25, 1974

HOUSE BILL NO. 791, Prime sponsor: Representative Bluechel, enacting the Washington Land Use Act, reported by Committee on State Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bluechel, Cunningham, Curtis, Gaines, Kopet, Moon, Perry, Polk.

To Committee on Rules for second reading.

January 26, 1974

HOUSE BILL NO. 916, Prime sponsor: Representative McCormick, relating to outdoor advertising, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

Strike all material after the enacting clause and insert the following:

" Section 1. Section 5, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.045 are each amended to read as follows:

(1) Not more than one type 3 sign visible to traffic proceeding in any one direction on an interstate system, primary system outside an incorporated city or town or commercial or industrial area, or scenic system highway may be permitted more than fifty feet from the advertised activity;

(2) A type 3 sign, other than one along any portion of the primary system within an incorporated city or town or within any commercial or industrial area, permitted more than fifty feet from the advertised activity pursuant to subsection (1) of this section shall not be erected or maintained a greater distance from the advertised activity than one of the following options selected by the owner of the business being advertised:

(a) One hundred fifty feet measured along the edge of the protected highway from the main entrance to the activity advertised (when applicable);

(b) One hundred fifty feet from the main building of the advertised activity; or

(c) Fifty feet from a regularly used parking lot maintained by and contiguous to the advertised activity.

(3) The commission with advice from the parks and recreation commission shall adopt specifications for a uniform system of official tourist facility directional signs to be used on the scenic system highways. Official directional signs shall be posted by the commission to inform motorists of types of tourist and recreational facilities available off the scenic system which are accessible by way of public or private roads intersecting scenic system highways.

Sec. 2. Section 7, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.062 are each amended to read as follows:

Signs visible from the main traveled way of the primary system within commercial and industrial areas whose size, lighting, and spacing are consistent with the customary use of property for the effective display of outdoor advertising as set forth in this section may be erected and maintained: PROVIDED, That this section shall not serve to restrict type 3 signs located along any portion of the primary system within an incorporated city or town or within any commercial or industrial area.

(1) General: Signs shall not be erected or maintained which (a) imitate or resemble any official traffic sign, signal, or device; (b) are erected or maintained upon trees or painted or drawn upon rocks or other natural features and which are structurally unsafe or in disrepair; or (c) have any visible moving parts.

(2) Size of signs:

(a) The maximum area for any one sign shall be six hundred seventy-two square feet with a maximum height of twenty-five feet and maximum length of fifty feet inclusive of any border and trim but excluding the base or apron, supports and other structural members: PROVIDED, That cut-outs and extensions may add up to twenty percent of additional sign area.

(b) For the purposes of this subsection, double-faced, back-to-back, or V-type signs shall be considered as two signs.

(c) Signs which exceed three hundred twenty-five square feet in area may not be double-faced (abutting and facing the same direction).

(3) Spacing of signs:

(a) Signs may not be located in such a manner as to obscure, or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device, obstruct or physically interfere with the driver's view of approaching, merging, or intersecting traffic.

(b) On limited access highways established pursuant to chapter 47.52 RCW no two signs shall be spaced less than one thousand feet apart, and no sign may be located within three thousand feet of the center of an interchange, a safety rest area, or information center, or within one thousand feet of an intersection at grade. Double-faced signs shall be prohibited. Not more than a total of five sign structures shall be permitted on both sides of the highway per mile.

(c) On noncontrolled access highways inside the boundaries of incorporated cities and towns not more than a total of four sign structures on both sides of the highway within a space of six hundred sixty feet shall be permitted with a minimum of one hundred feet between sign structures. In no event, however, shall more than four sign structures be permitted between platted intersecting streets or highways. On noncontrolled access highways outside the boundaries of incorporated cities and towns minimum spacing between sign structures on each side of the highway shall be five hundred feet.

(d) For the purposes of this subsection, a back-to-back sign and a V-type sign shall be considered one sign structure.

(e) Official signs, and signs advertising activities conducted on the property on which they are located shall not be considered in determining compliance with the above spacing requirements. The minimum space between structures shall be measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply to signs located on the same side of the highway.

(4) Lighting: Signs may be illuminated, subject to the following restrictions:

(a) Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited, except those giving public service information such as time, date, temperature, weather, or similar information.

(b) Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of the highway and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.

(c) No sign shall be so illuminated that it interferes with the effectiveness of, or obscures an official traffic sign, device, or signal.

(d) All such lighting shall be subject to any other provisions relating to lighting of signs presently applicable to all highways under the jurisdiction of the state.

Sec. 3. Section 10, chapter 96, Laws of 1961 as last amended by section 11, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.100 are each amended to read as follows:

(1) No sign lawfully erected in a protected area as defined by section 2, chapter 96, Laws of 1961 (before the amendment thereof), prior to March 11, 1961, within a commercial or industrial zone within the boundaries of any city or town, as such boundaries existed on September 21, 1959, wherein the use of real property adjacent to the interstate system is subject to municipal regulation or control but which does not comply with the provisions of this chapter or any regulations promulgated hereunder, shall be maintained by any person after March 11, 1965.

(2) No sign lawfully erected in a protected area as defined by section 2, chapter 96, Laws of 1961 (before the amendment thereof), prior to March 11, 1961, other than within a commercial or industrial zone within the boundaries of a city or town as such boundaries existed on September 21, 1959, wherein the use of real property adjacent to the interstate system is subject to municipal regulation or control but which does not comply with the provisions of this chapter or any regulations promulgated hereunder, shall be maintained by any person after three years from March 11, 1961.

(3) No sign lawfully erected in a scenic area as defined by section 2, chapter 96, Laws of 1961 (before the amendment thereof), prior to the effective date of the

designation of such area as a scenic area shall be maintained by any person after three years from the effective date of the designation of any such area as a scenic area.

(4) No sign visible from the main traveled way of the interstate system, the primary system other than type 3 signs along any portion of the primary system within an incorporated city or town or within a commercial or industrial area, or the scenic system which was there lawfully maintained immediately prior to May 10, 1971, but which does not comply with the provisions of chapter 47.42 RCW as now or hereafter amended ((by this 1974 amendatory act)), shall be maintained by any person (a) after three years from May 10, 1971, or (b) with respect to any highway hereafter designated by the legislature as a part of the scenic system, after three years from the effective date of the designation."

In line 1 of the title, after "advertising" and before the period insert "; amending section 5, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.045; amending section 7, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.062; and amending section 10, chapter 96, Laws of 1961 as last amended by section 11, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.100"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Ceccarelli, Clemente, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Nelson, Patterson, Schumaker, Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Charnley, Subcommittee Chairman; Douthwaite.

To Committee on Rules for second reading.

January 26, 1974  
HOUSE BILL NO. 1183, Prime sponsor: Representative Parker, making certain changes in the laws relating to emergency services, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Eng, Fortson, Freeman, Hendricks, Honan, Kelley, Matthews, Paris, Tilly, Wojahn.

To Committee on Rules for second reading.

January 26, 1974  
HOUSE BILL NO. 1238, Prime sponsor: Representative Conner, providing for permits for logging trucks, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; Barnes, Bender,



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Ceccarelli, Clemente, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Lysen, Nelson, Patterson, Schumaker, Wilson.

To Committee on Rules for second reading.

January 25, 1974

HOUSE BILL NO. 1260, Prime sponsor: Representative Ceccarelli, abolishing issuance of temporary permits for salesmen employed by real estate brokers, reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Gallagher, Garrett, Gilleland, Kuehnle, Leckenby, Wilson.

To Committee on Rules for second reading.

January 26, 1974

HOUSE BILL NO. 1321, Prime sponsor: Representative Luders, regulating water supply operators, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Eng, Hendricks, Honan, Kelley, Matthews, Paris, Tilly, Wojahn.

To Committee on Rules for second reading.

January 28, 1974

HOUSE BILL NO. 1341, Prime sponsor: Representative King, providing for an educational employment relations act, reported by Committee on Labor.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, King, May, Parker.

To Committee on Rules for second reading.

January 24, 1974

HOUSE BILL NO. 1523, Prime sponsor: Representative Adams, improving health care accessibility, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Eng, Fortson, Freeman, Hendricks, Honan, Matthews, Savage, Tilly.

To Committee on Rules for second reading.

January 26, 1974

HOUSE BILL NO. 1525, Prime sponsor: Representative Adams, relating to civil commitment, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Fortson, Freeman, Hendricks, Honan, Matthews, Paris, Tilly, Wojahn.

To Committee on Rules for second reading.

## MOTION

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

## MOTION FOR RECONSIDERATION

Mr. Van Dyk, having given notice on the preceding day, moved that the House do now reconsider the vote by which Engrossed House Bill No. 1026 failed to pass the House.

Representatives Van Dyk and Charette spoke in favor of the motion, and Representative Curtis spoke against it.

Mr. Conner demanded an electric roll call, and the demand was sustained.

Representatives Pardini and Curtis spoke against the motion to reconsider.

## POINT OF INQUIRY

Mr. Van Dyk yielded to question by Mr. Moon.

Mr. Moon: "Representative Van Dyk, if this bill passes the House will you help try to persuade the Senate to raise that limit that would make it more palatable to Representative Curtis?"

Mr. Van Dyk: "Yes, I would work for the amendment to bring that exemption up to \$1 million and I have given that promise."

Mr. Charnley spoke in favor of the motion, and Mr. Schumaker spoke against it.

## POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Charnley, do you live within King County?"

Mr. Charnley: "Yes, I do."

Mr. Pardini: "Doesn't King County already have this law?"

Mr. Charnley: "No, it doesn't, only the city of Seattle."

Mr. Pardini: "Is your district within the city of Seattle?"

Mr. Charnley: "Partially."

Representatives Patterson, Amen and Wojahn spoke against the motion for reconsideration.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Van Dyk to reconsider the vote by which Engrossed House Bill No. 1026 failed to pass the House, and the motion was carried by the following vote: Yeas, 49; nays, 46; not voting, 3.

Voting yea: Representatives Bauer, Bausch, Beck, Bender, Bluechel, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hoggins, Jastad, Johnson, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, Moon, North P., North L., O'Brien, Parker, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Benitz, Berentson, Blair, Ceccarelli, Cunningham, Curtis, Eikenberry, Erickson, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Matthews, May, McCormick, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Anderson, Kalich, Perry.

Mr. Charette moved that the House defer further consideration of the reconsideration of Engrossed House Bill No. 1026 until the next working day.

#### PARLIAMENTARY INQUIRY

Mr. Curtis: "Would a motion to suspend the rules and move this item back to second reading for the purpose of amendment be in order now, and then ask that this hold its place on tomorrow's calendar?"

#### SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "The Speaker ranks the motion to return the bill in the same category as the motion to postpone consideration until tomorrow; therefore Mr. Charette's motion would have to be placed first."

Mr. Charette spoke in favor of his motion, and Representatives Pardini and Curtis spoke against it.

Mr. Beck demanded the previous question, and the demand was sustained.

Mr. Pardini demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Charette to defer reconsideration of Engrossed House Bill No. 1026 until the next working day, and the motion was carried by the following vote: Yeas, 53; nays, 42; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Beck, Bender, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Portson, Gaines, Gallagher, Gaspard, Goltz, Hoggins, Hurley, Johnson, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, Moon, North F., North L., O'Brien, Parker, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Cunningham, Curtis, Eikenberry, Erickson, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Jastad, Jueling, Julin, Kishimoto, Kopet, Kuehnle, Leckenby, Matthews, McCormick, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Anderson, Kalich, Perry.

#### MOTIONS

On motion of Mr. Charette, HOUSE BILL NO. 1041 was rereferred from the Committee on Rules to the Committee on Ways and Means - Appropriations.

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Tuesday, January 29, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## SIXTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, January 29, 1974.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Paul J. Beeman of the First United Methodist Church of Olympia.

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

## MESSAGE FROM THE SENATE

January 28, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3021,

ENGROSSED SENATE BILL NO. 3100,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 3021, by Senators Donohue, Henry and Twigg (by Department of Motor Vehicles request):

AN ACT Relating to motor vehicles; amending section 46.12.030, chapter 12, Laws of 1961 as last amended by section 2, chapter 99, Laws of 1972 ex. sess. and RCW 46.12.030; amending section 46.12.040, chapter 12, Laws of 1961 and RCW 46.12.040; and providing an effective date.

To Committee on Ways and Means - Appropriations.

ENGROSSED SENATE BILL NO. 3100, by Senators Durkan, Donohue, Sandison and Lewis (Harry):

AN ACT Relating to the support of state government and authorizing the transfer of state funds; and declaring an emergency.

To Committee on Ways and Means - Appropriations.

## REPORTS OF STANDING COMMITTEES

January 28, 1974

HOUSE BILL NO. 1037, Prime sponsor: Representative Kilbury, an act relating to agriculture, reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Hansey, Haussler, Laughlin, Schumaker, Tilly, Van Dyk.

January 28, 1974

HOUSE BILL NO. 1043, Prime sponsor: Representative Kilbury, relating to agriculture, reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Hansey, Laughlin, Schumaker, Tilly, Van Dyk.

January 28, 1974

HOUSE BILL NO. 1147, Prime sponsor: Representative Hansey, changing the population requirements for a full time justice of the peace, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike all of section 1 and insert the following:

"Section 1. Section 10, chapter 299, Laws of 1961 as last amended by section 1, chapter 14, Laws of 1973 1st ex. sess. and RCW 3.34.010 are each amended to read as follows:

The number of justices of the peace to be elected in each county shall be: Adams, three; Asotin, one; Benton, two; Chelan, one; Clallam, one; Clark, four; Columbia, one; Cowlitz, two; Douglas, one; Ferry, two; Franklin, one; Garfield, one; Grant, one; Grays Harbor, two; Island, three; Jefferson, one; King, twenty; Kitsap, two; Kittitas, two; Klickitat, two; Lewis, two; Lincoln, two; Mason, one; Okanogan, two; Pacific, three; Pend Oreille, two; Pierce, eight; San Juan, one; Skagit, ((three)) one; Skamania, one; Snohomish, eight; Spokane, eight; Stevens, two; Thurston, one; Wahkiakum, one; Walla Walla, three; Whatcom, two; Whitman, two; Yakima, six: PROVIDED, That this number may be increased in accordance with a resolution of the county commissioners and RCW 3.34.020."

On page 1, line 1 of the title after "and" and before the period on line 3 strike all the material and insert "amending section 10, chapter 299, Laws of 1961 as last amended by section 1, chapter 14, Laws of 1973 1st ex. sess. and RCW 3.34.010"

Signed by Representatives Knowles, Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Newhouse, North (Lois), Smith, Sommers.

January 28, 1974

HOUSE BILL NO. 1167, Prime sponsor: Representative Julin, amending the law relating to comparative negligence, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 5, after "RCW" strike "\_\_\_\_\_" and insert "4.22.010"

On page 1, section 1, line 11 after "allowed" strike "shall" and insert "~~(shall)~~ may"

On page 1, line 12 immediately following section 1 add a new section as follows:

"NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect as of 12:01 a.m. on April 1, 1974."

In line 2 of the title after "RCW" strike "\_\_\_\_\_" and insert "4.22.010; declaring an emergency and prescribing an effective date"

Signed by Representatives Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, North (Lois); Sommers.

January 28, 1974

HOUSE BILL NO. 1195, Prime sponsor: Representative Adams, eliminating the exemption of employees of nursing homes and hospitals from the minimum wage law, reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, immediately following section 1, add a new section as follows:

"NEW SECTION. Sec. 2. The sum of five million dollars is hereby appropriated from the general fund to the department of social and health services for the purpose of administering the provisions of this act."

On page 1, line 5 of the title after "49.46.010" insert "; and making an appropriation"

Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, Freeman, King, Kopet, Matthews, May, Morrison, Parker.

January 25, 1974

HOUSE BILL NO. 1232, Prime sponsor, Representative Wojahn, revising the law relating to funeral directors and embalmers, reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 7, section 5, beginning on line 31 after "for each" strike "board meeting attended" and insert "day involved in board business"

On page 15, section 14, line 7 after "original" insert "or reciprocal"

On page 15, section 14, line 10 after "more than" strike "twenty-five" and insert "fifty"

On page 15, section 14, line 11 after "more than" strike "twenty-five" and insert "fifty"

Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Gallagher, Gilleland, Leckenby, Randall, Wilson.

January 28, 1974

HOUSE BILL NO. 1240, Prime sponsor: Representative Brown, removing certain meat dealers' fees, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz; Hansey, Haussler, Laughlin, Schumaker, Tilly, Van Dyk.

January 28, 1974

HOUSE BILL NO. 1245, Prime sponsor: Representative Kuehnle, enacting 1974 LEFF retirement system amendments, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendment:

On page 24, section 12, line 16 after "basic allowance" insert "plus the amount attributable for the appropriate number of eligible children"

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Amen, Honan, Kishimoto, Kuehnle, Laughlin, North (Frances), Paris, Sommers, Zimmerman.

January 28, 1974

HOUSE BILL NO. 1325, Prime sponsor: Representative Bluechel, authorizing the economic assistance authority to provide technical assistance to certain public bodies, reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 10 after "authorized to" strike "enter into" and insert "make grants or loans for"

On page 1, section 1, line 11 after "technical assistance" strike "contracts with" and insert "to"

On page 1, section 1, line 15 after "assistance" strike "contracts" and insert "loans or grants"



On page 2, section 2, line 16 after "verification" strike "may" and insert "shall"

Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Ceccarelli, Curtis, Garrett, Gilleland, Juelling, Kuehnle, Wilson.

January 26, 1974

HOUSE BILL NO. 1332, Prime sponsor: Representative Randall, pertaining to limitations upon property tax levies, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Benitz, Brown, Erickson, Goltz, Hurley, Kilbury, King, Kuehnle.

January 28, 1974

HOUSE BILL NO. 1333, Prime sponsor: Representative Perry, providing for injunctions against unregistered contractors, reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Curtis, Gallagher, Garrett, Gilleland, Kuehnle, Leckenby, Wilson.

January 28, 1974

HOUSE BILL NO. 1348, Prime sponsor: Representative Wilson, providing for a proposition that the commissioners in a fire protection district be elected from districts of equal population, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives Fortson, Vice Chairwoman; Barnes, Brown, Erickson, Knowles, Maxie, Rabel.

January 28, 1974

HOUSE BILL NO. 1397, Prime sponsor: Representative Julin, providing for payment of attorney's fees, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 6 after "on a contract" insert "entered into after the effective date of this act"

Signed by Representatives Eikenberry, Gaspard, Hayner, Julin, Maxie, Newhouse, North(Lois), Smith, Sommers.

January 28, 1974

HOUSE BILL NO. 1445, Prime sponsor: Representative Savage, revising the affidavit required of candidates for

public office, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Erickson, Knowles, Maxie.

January 28, 1974

HOUSE BILL NO. 1456, Prime sponsor: Representative Eikenberry, allowing attorney fees and costs of defense to law enforcement officers defending against frivolous suits, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, at the beginning of line 9 strike "shall" and insert "may"

Signed by Representatives Eikenberry, Gaspard, Hayner, Julin, Maxie, Newhouse, North (Lois), Shinpoch, Sommers.

January 28, 1974

HOUSE BILL NO. 1512, Prime sponsor: Representative King, providing that no candidate for nonpartisan elective office may be finally elected in a primary election, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, line 12 add a new section following section 7 as follows:

"Sec. 8. Section 29.82.020, chapter 9, Laws of 1965 as amended by section 1, chapter 205, Laws of 1971 ex. sess. and RCW 29.82.020 are each amended to read as follows:

If the recall is demanded of a state-wide elected official, the attorney shall determine within fifteen days of the filing of the charge whether or not the acts complained of in the charge are acts of malfeasance or misfeasance while in office, or a violation of the oath of office, as specified in the Constitution. If the recall is demanded of a member of the state senate or house of representatives, and the legislative district of said member lies wholly within one county, the determination shall be made by the prosecuting attorney of such county within fifteen days of the filing of the charge. If the member's legislative district extends into two or more counties, the attorney general shall make the determination within the aforesaid time. If the recall is demanded of any other official, the prosecuting attorney of the county in which the person subject to recall resides shall make such determination within fifteen days of the filing of the charge: PROVIDED, That if the recall is demanded of the attorney general, the determination shall be made by the chief justice of the supreme court of the state of Washington within fifteen days of the filing of the charge. Upon determination that the recall charges meet the constitutional requirements, the attorney general or the

prosecuting attorney, as the case may be, shall, within thirty days of the filing of the charge, formulate a ballot synopsis of such charge of not to exceed two hundred words, which shall set forth the name of the person charged, the title of his office, and a concise statement of the elements of the charge, and shall notify the persons filing the charge of the exact language of such ballot synopsis, and attach a copy thereof to and file the same with the charge, and thereafter such charge shall be designated on all petitions, ballots and other proceedings in relation thereto by such synopsis. The officer with whom the charge is filed under RCW 28.82.015 shall serve a copy of such charge upon the officer whose recall is demanded, not less than seven days prior to formulation of the ballot synopsis. Manner of service shall be the same as in a commencement of a civil action in superior court."

Remember the remaining section consecutively.

On page 1, line 10 of the title after "RCW 3.34.050;" strike "and"

On page 1, line 11 of the title, after "RCW 29.21.170" insert "; and amending section 29.82.020, chapter 9, Laws of 1965 as amended by section 1, chapter 205, Laws of 1971 ex. sess. and RCW 29.82.020"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Brown, Erickson, Hayner.

January 28, 1974

HOUSE JOINT MEMORIAL NO. 13. Prime sponsor: Representative Tilly, memorializing Congress concerning news coverage of election returns, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 1 after "United States" strike "and to" and insert a comma

On page 2, line 2 after "state" insert "and to the presiding officer of each house of the legislatures of the states whose borders lie within the Rocky Mountain or Pacific time zones"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Brown, Erickson, Knowles, Maxie, Rabel.

#### MOTIONS

On motion of Mr. Thompson, all bills listed on the fifth order of business were referred to the Committee on Rules for second reading, with the exception of HOUSE BILL NO. 1245, to be rereferred to the Committee on Ways and Means - Appropriations.

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

## THIRD READING

ENGROSSED HOUSE BILL NO. 549, by Representatives Kuehnle, Beck, Zimmerman, Pardini, Bagnariol, Randall, Paris, Hendricks, Garrett, Patterson, Barden, Luders, Knowles, Eng and Matthews:

Regulating sale and transfer of devices adapted for the use of drugs by injections.

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

Representatives Kuehnle and Hendricks spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 549 on final passage, and the bill passed the House by the following vote: Yeas, 87; nays, 7; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Ceccarelli, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Charnley, Douthwaite, Erickson, Goltz, Parker, Valle.

Not voting: Representatives Bluechel, Charette, Julin, Kishimoto.

Engrossed House Bill No. 549, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 1049, by Committee on Labor (Originally sponsored by Representatives Parker and Savage):

Requiring minimum standards for self-insurers with regard to industrial insurance to be set by the director of labor and industries.

## MOTION

Mr. Newhouse moved that the rules be suspended, and Substitute House Bill No. 1049 be returned to second reading for the purpose of amendment.

Mr. Newhouse spoke in favor of the motion, and Mr. Savage spoke against it.

The motion was lost.

The Speaker declared the question before the House to be the final passage of Substitute House Bill No. 1049.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1049, and the bill passed the House by the following vote: Yeas, 66; nays, 27; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Kopet, Kuehnle, Matthews, Morrison, Newhouse, Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson.

Not voting: Representatives Bluechel, Charette, Julin, Kishimoto, Kraabel.

Substitute House Bill No. 1049, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1084, by Representative Moon:

Setting the maximum rate of interest permitted on time deposits of public funds.

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

Mr. Ceccarelli spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1084, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Bluechel, Charette, Kishimoto, and Mr. Speaker.

House Bill No. 1084, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 473, by Committee on Commerce (Originally sponsored by Representatives Jastad, Bagnariol, Wojahn, McCormick, Savage, Kalich, Thompson, Anderson, Ceccarelli and Gaines):

Authorizing card rooms, pinball machines, punch cards, and pull tabs.

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

Debate ensued, Representatives Jastad, Clemente, Ceccarelli and Wojahn speaking in favor, and Representatives North (Lois), Pullen and Leckenby speaking against.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 473, and the bill passed the House by the following vote: Yeas, 75; nays, 21; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Clemente, Conner, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Hansen, Hansey, Haussler, Hendricks, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet,

Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Pardini, Parker, Patterson, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Charnley, Cunningham, Douthwaite, Eikenberry, Freeman, Gilleland, Goltz, Hayner, Hoggins, Julin, Leckenby, Matthews, Nelson, North L., Paris, Polk, Pullen, Rabel, Zimmerman.

Not voting: Representatives Chatalas, Kishimoto.

Engrossed Substitute House Bill No. 473, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 1026, by Representatives Van Dyk, North (Lois), Goltz, Kilbury, Douthwaite, Fortson, Charnley, Rabel, Lysen, Sommers and Kelley:

Providing for a state-wide system of unit pricing in grocery stores.

#### MOTIONS

Mr. Thompson moved that the rules be suspended and Engrossed House Bill No. 1026 be returned to second reading for the purpose of amendment.

The motion was carried on a rising vote.

The bill was read the second time.

Mr. Van Dyk moved adoption of the following amendment:  
On page 6, section 8, line 20 strike "seven hundred fifty thousand" and insert "one million, two hundred and fifty thousand"

Mr. Curtis moved adoption of the following amendment to the Van Dyk amendment:

On page 6, section 8, line 20 strike "one million, two hundred and fifty thousand" and insert "two million"

Representative Curtis spoke in favor of the amendment to the amendment, and Representative Van Dyk spoke against it.

Mr. Kraabel spoke in favor of the amendment to the amendment.

The amendment to the amendment was adopted.

The amendment by Mr. Van Dyk, as amended by the amendment, was adopted.

Representative Zimmerman moved adoption of the following amendment:

On page 6, section 8, line 22 after "or" insert "imported"

Mr. Van Dyk spoke in favor of the amendment and it was adopted.

Engrossed House Bill No. 1026 was ordered reengrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Reengrossed House Bill No. 1026 was placed on final passage.

Representatives Van Dyk and Savage spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 1026, and the bill passed the House by the following vote: Yeas, 50; nays, 45; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bauer, Bausch, Beck, Bender, Bluechel, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hoggins, Johnson, Kelley, Kilbury, King, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, North F., North L., O'Brien, Parker, Rabel, Randall, Savage, Shipoch, Smith, Sommers, Valle, Van Dyk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Benitz, Berentson, Blair, Ceccarelli, Cunningham, Curtis, Eikenberry, Erickson, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Honan, Hurley, Jastad, Jueling, Julin, Kalich, Knowles, Kopet, Kuehnle, Leckenby, Matthews, McCormick, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Thompson, Tilly, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Kishimoto, Moon, Perry.

Reengrossed House Bill No. 1026, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PARLIAMENTARY INQUIRY

Mr. Pardini: "Would you tell me how Mr. Conner voted on that last vote?"

The Speaker: "He voted 'yea'."



## MOTION

On motion of Mr. Thompson, the House reverted to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

January 28, 1974

HOUSE BILL NO. 383, Prime sponsor: Representative Van Dyk, providing standard for approval of plats and subdivisions, reported by Committee on Local Government.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Honan, Kishimoto, Laughlin, Nelson, North (Frances), Paris, Patterson, Sommers, Zimmerman.

To Committee on Rules for second reading.

January 28, 1974

HOUSE BILL NO. 1516, Prime sponsor: Representative McCormick, expediting certification of thermal power plant sites and lines, reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Luders, Chairman; Smith, Vice Chairman; Beck, Charnley, Douthwaite, Goltz, Kraabel, McCormick, Nelson, Valle, Zimmerman.

To Committee on Rules for second reading.

## SECOND READING

HOUSE BILL NO. 135, by Representatives Paris, Kilbury, Zimmerman, Douthwaite and Charnley (by Legislative Council request):

Conserving geothermal resources.

The bill was read the second time.

## MOTION

On motion of Mr. Martinis, Substitute House Bill No. 135 was substituted for House Bill No. 135, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 135 was read the second time.

Mr. Douthwaite moved adoption of the following amendment:

On page 4, section 4, line 17 strike "private" and after "of the" strike everything down to the period in line 18 and insert "of the state of Washington"

Mr. Douthwaite spoke in favor of the amendment, and Representatives Leckenby and Hansey spoke against it.

Mr. Douthwaite spoke again in favor of his amendment, and Representatives Zimmerman, Martinis and Charnley spoke against it.

Mr. Gilleland demanded an electric roll call and the demand was not sustained.

With the consent of the House, Mr. Douthwaite withdrew his amendment.

Mr. Martinis moved adoption of the following amendment:  
On page 4, section 4, beginning on line 16 after "water resource" strike all the matter down to and including "resources" on line 18

Mr. Martinis spoke in favor of the amendment, and Mr. Hansey spoke against it.

Mr. Conner demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Martinis to Substitute House Bill No. 135, and the amendment was adopted by the following vote: Yeas, 59; nays, 38; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Kalich, Kelley, Kilbury, King, Knowles, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Patterson, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Bauer, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Honan, Johnson, Juelling, Julin, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Not voting: Representative Kishimoto.

Substitute House Bill No. 135 was ordered engrossed.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 135 was placed on final passage.

Representatives Paris, Charnley and Kilbury spoke in favor of the bill, and Representative Johnson spoke against its passage.

## POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Hansey.

Mr. Hansey: "Representative Martinis, with the passage of your amendment which struck the reference to ownership to the property, there seem to be some questions on this and you indicated that you would hold hearings on this matter on a separate bill. Could you indicate to me and to the body what your proposed timetable on that would be?"

Mr. Martinis: "I think that would be an extremely difficult question to answer. I would say that it would hold very high priority in the committee, but to set timetables is difficult. We will have to see what other issues the Rules Committee gives our committee, but I assure you we will work very closely together on this and it will be a priority item."

Representatives Hansey, Moon, Paris and Martinis spoke in favor of the bill, and Representative Thompson spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 135, and the bill passed the House by the following vote: Yeas, 87; nays, 8; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luder, Martinis, Matthews, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Shipoch, Sommers, Tilly, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Johnson, Lysen, Maxie, Randall, Smith, Thompson, Valle, Van Dyk.

Not voting: Representatives Julin, Kelley, Kishimoto.

Engrossed Substitute House Bill No. 135, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

-EXPLANATION OF VOTE

I have opposed Engrossed Substitute House Bill No. 135 because of my position that this universal source of power--most unique--should be one of public ownership and because this measure does not solve the question of ownership. My negative vote on this measure is for that reason alone.

DORIS J. JOHNSON, 8th District.

STATEMENT FOR THE JOURNAL

I want my vote in favor of Engrossed Substitute House Bill No. 135, relating to the conservation of geothermal resources, to be coupled with my concern about the eventual determination as to the ownership of these important resources. It is my firm belief that by the nature of such heat and energy, located deep in the earth, and moving providently across the imaginary subterranean boundaries of surface owners, geothermal resources belong to all the people.

Of course, these resources may be exploited by private companies, and, of course, the surface owners are entitled to compensation for any intrusion on their lands. But the resource itself belongs to the public, and I don't want my vote on Engrossed Substitute House Bill No. 135 to be construed in any other way.

H. A. "BARNEY" GOLTZ, 42nd District.

MOTION

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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AFTERNOON SESSION  
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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Kelley and Kishimoto, who were excused.

SECOND READING

HOUSE BILL NO. 748, by Representatives Smith, Kelley and Laughlin:

Making certain changes in the laws relating to probate.

The bill was read the second time.

MOTION

On motion of Mr. Knowles, Substitute House Bill No. 748 was substituted for House Bill No. 748, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 748 was read the second time.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 748 was placed on the calendar for third reading.

Representatives Smith and Eikenberry spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 748, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kelley, Kishimoto, Luders, Rabel, Van Dyk, Wilson.

Substitute House Bill No. 748, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 757, by Representatives Erickson, Johnson, Valle, McCormick, Wojahn, Maxie, North (Lois) and Hayner:

Providing for adult members of the school patrol.

## MOTION

On motion of Mr. Bauer, Substitute House Bill No. 757 was substituted for House Bill No. 757, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 757 was read the second time.

On motion of Mr. Hoggins, the following amendments by Representatives Hoggins and Bauer were adopted:

On page 1, section 1, line 11 after "appointed" insert "voluntary adult recruits as supervisors and," and on page 1, section 1, line 12 after "students," strike down to and including "supervisors," on line 13

On motion of Mr. Shinpoch the following amendment was adopted:

On page 1, section 1, line 26 after "supervisors" strike "and members of the school patrol"

Substitute House Bill No. 757 was ordered engrossed.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 757 was placed on final passage.

Mrs. Erickson spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 757, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Kuehne, May.

Not voting: Representatives Bluechel, Kelley, Kishimoto, Rabel.

Engrossed Substitute House Bill No. 757, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1093, by Representatives Adams, Parker, Wojahn and Curtis:

Relating to fees for professional licenses.

#### MOTION

On motion of Mrs. Wojahn, Substitute House Bill No. 1093 was substituted for House Bill No. 1093, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1093 was read the second time.

On motion of Mr. Kopet the following amendment by Representatives Kopet, Curtis and Adams was adopted:

On page 56, section 63, line 17 after "chapter" strike down to and including "application" on line 19 and insert "(and such person has practiced in such other state or territory or the District of Columbia for at least one year prior to application)"

Mr. Matthews moved adoption of the following amendment:

On page 71, section 89, line 22 insert "Nursing home administrator" and on line 29 strike "Nursing home administrator"

Mr. Matthews spoke in favor of his amendment, and Representatives Wojahn and Adams spoke against it.

The amendment was not adopted.

Substitute House Bill No. 1093 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1093 was placed on final passage.

Mr. Adams spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Amen.

Mr. Amen: "Representative Adams, you have said that the state has subsidized these varied professions. Do you have any amounts? I am interested in how much it has cost."

Mr. Adams: "I have talked to the department on many occasions--in fact I have had my name on this bill in the past, and not just on this type of bill. I know that they

have in other years gotten behind as far as the various professions are concerned. I know my own profession has not been able to carry their own weight with dues and by the fees that they pay into the state, and there are other professions in the same category; however I don't know the exact amount."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1093, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Eikenberry, Pullen, Schumaker.

Not voting: Representatives Kelley, Kishimoto.

Engrossed Substitute House Bill No. 1093, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1171, by Committee on Education (Endorsed by Representatives Bauer, Ellis, Brown, Ehlers, Hoggins, Johnson, Clemente, Fortson, Bender, Eng, Smythe, Tilly, Warnke, Chatalas, Gaines, Maxie, Laughlin and Van Dyk):

Setting out policy for the administration of urban, rural, racial and disadvantaged education programs.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendment, see Journal for fifth day, 3rd. ex. sess., January 18, 1974.)

On motion of Mr. Bauer, the committee amendment was adopted.

House Bill No. 1171 was ordered engrossed.



## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1171 was placed on final passage.

Mr. Eng spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Eng yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Eng, the other day we had a bill going through here which dealt with a commission. This is a new commission which is now going to be statutory. I missed the second reading or I would have offered the amendment--the same amendment that we adopted the other day for that particular commission--it said '...no member of the commission shall intentionally obstruct or attempt to obstruct the legislative intent of this chapter.' Can you tell me if this commission has been given that same mandate in this bill?"

Mr. Eng: "This is not a commission, this is just an advisory committee to advise the Superintendent of Public Instruction in relation to these programs whether they should or should not be funded. This committee is responsible to the SPI's office, not to the Governor."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1171, and the bill passed the House by the following vote: Yeas, 90; nays, 4; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Honan, Hurley, Jastad, Johnson, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Jueling, Kuehnle, Schumaker.

Not voting: Representatives Hendricks, Kelley, Kishimoto, Tilly.

Engrossed House Bill No. 1171, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1194, by Representatives Smith, Randall and Beck:

Establishing eligibility requirements for commercial herring fishing licenses.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendment, see Journal for the twelfth day, 3rd ex. sess., January 25, 1974.)

On motion of Mr. Hansey, the committee amendment was adopted.

House Bill No. 1194 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1194 was placed on final passage.

Mr. Smith spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1194, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Portson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kelley, Kishimoto, Kuehnle, Parker.

Engrossed House Bill No. 1194, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1258, by Representatives North (Lois), Knowles, Polk and Smith:

Requiring interest to be paid by the state and its political subdivisions on judgments out of their tortious conduct.

The bill was read the second time.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1258 was placed on final passage.

Mrs. North (Lois) spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1258, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wajahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Warnke.

Not voting: Representatives Kelley, Kishimoto, Kopet, Rabel.

House Bill No. 1258, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1269, by Representatives Conner and Savage:

Adding additional judge for counties of Clallam and Jefferson jointly.

The bill was read the second time.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1269 was placed on final passage.

Representatives Conner and Savage spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1269, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Cunningham.

Not voting: Representatives Kelley, Kishimoto, Kopet, Parker.

House Bill No. 1269, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1272, by Representatives Valle, Pardini, Ceccarelli, Polk, Kelley, Van Dyk and Matthews:

Providing disability insurance for services of oral surgeons licensed under the dentistry act.

The bill was read the second time.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1272 was placed on final passage.

Mrs. Valle spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1272, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kelley, Kishimoto.

House Bill No. 1272, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Kishimoto appeared at the bar of the House.

HOUSE BILL NO. 1273, by Representatives Curtis, Haussler, Knowles, Gaines and Wilson:

Providing for filling of vacancies in fire commissioner positions.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal for twelfth day, 3rd ex. sess., January 25, 1974.)

On motion of Mr. Haussler, the committee amendments were adopted.

House Bill No. 1273 was ordered engrossed.

## MOTION

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 1273 be placed on final passage.

Mr. Newhouse spoke against the motion to advance the bill to third reading and final passage, and Mr. Thompson spoke in favor of it.

## SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "According to our rules we allow one speaker to speak in behalf of a motion to advance, and one speaker to speak against the motion."

Mr. Conner announced that with consent of the House, he would withdraw his motion to advance Engrossed House Bill No. 1273 to third reading.

## PARLIAMENTARY INQUIRY

Mr. Curtis: "If someone objects to his withdrawing the motion, must it be put to a vote?"

The Speaker (Mr. O'Brien presiding): "With the consent of the House Mr. Conner withdrew his motion."

Mr. Curtis: "That's my point, Mr. Speaker, I didn't consent."

Mr. Conner: "With the consent of the House, I will withdraw the withdrawal."

Mr. Curtis spoke in favor of the motion to advance the bill to final passage, and the motion was carried.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1273, and the bill passed the House by the following vote: Yeas, 91; nays, 5; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Jastad, Johnson, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North P., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Benitz, Gilleland, Juelling, Morrison, Newhouse.

Not voting: Representatives Hurley, Kelley.

Engrossed House Bill No. 1273, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1281, by Representatives Luders, Ceccarelli, Knowles, Warnke, Hansen and Bauer:

Providing for minimum standard conditions and terminology for health care services contracts.

The bill was read the second time.

On motion of Mr. Luders, the following amendment was adopted:

On page 1, section 1, line 13 after "conditions by" strike "April" and insert "June"

House Bill No. 1281 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1281 was placed on final passage.

Debate ensued, Representatives Luders and Bagnariol speaking in favor of the bill, and Representative Julin speaking against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1281, and the bill passed the House by the following vote: Yeas, 59; nays, 34; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Nelson, North F., O'Brien, Randall, Savage, Shinpoch, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hoggins, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Newhouse, North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson.

Not voting: Representatives Kelley, Moon, Morrison, Perry, Smith.

Engrossed House Bill No. 1281, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1297, by Representatives Martinis, Hansey, Thompson, Kalich and Luders:

Authorizing certain inspections by the department of game.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendment, see Journal for twelfth day, 3rd ex. sess., January 25, 1974.)

On motion of Mr. Martinis, the committee amendment was adopted.

Mr. Pardini moved adoption of the following amendment by Representatives Pardini and Rabel:

On page 1, section 1, line 9 after "search" strike "without" and insert "with"

Representatives Pardini and Rabel spoke in favor of the amendment, and Representatives Charette and Flanagan spoke against it.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Berentson.

Mr. Berentson: "Representative Martinis, when you testified before the Rules Committee the other day, the question was asked of you whether or not you thought a fishing ticket system would most likely be developed as we are doing with the commercial fishery right now under the Department of Fisheries, and you indicated that you thought that would probably be the approach. If that is the case, do you really feel that the search with warrant or without warrant is really that necessary? It seems to me that if you feel the answer is yes, it would be much more palatable to just use the ticket method rather than the search method."

Mr. Martinis: "Having been involved in the fisheries, I don't really think the fish ticket method is really that much of a hold on either the fishermen or the packing houses or whatever. You still have to have the inspection part of it to make sure that they are abiding by the rules and regulations and filling out these fish tickets. The ticket the Department of Fisheries has may not be developed that way for the Department of Game, but I am sure they are going to have to develop a reporting system which would resemble or could be called a fish ticket system. I just don't see that that's going to take care of the problem."

Mr. Berentson: "It would seem to me that if we are going to have any reason to believe that we know where to look for these steelhead, whether they are caught by the Indian fisheries or anyone else, that we are going to have to have a starting point, and it would seem that a fish ticket system would be the most logical place to start. If



we don't have that it seems to me we would be searching in the dark for the most part as to the real application of the intent of the law."

Mr. Martinis: "I would like to answer further to Representative Berentson--in discussions with the representatives from the Department of Fisheries, they indicated that, yes, they probably would develop a fish ticket. But again, if you are going to regulate the industry (and this is brand new) the Department of Game, with the recent federal Supreme Court decisions, have been treading very lightly. They have been criticized by the Indians; they have been criticized by the sportsmen who are the very hand that feeds them. They realize that they do have to tread lightly or they are going to offend the federal court and that federal court is going to come back with stronger regulations. They are not going to allow the department any latitude to develop these statistics and take care of this very vital resource, the bulk of which have been developed through the sportsmen's dollar. The federal court has mandated that they shall give the Indians a fair proportion of the run of the steelhead, and there is no way that they can determine what that fair share is unless they can develop some statistics. I don't see how they can develop these statistics unless they have the right to go in and observe these fish and see if everyone of these fish are being reported. I am not accusing white men or Indians or anyone else of cheating, but there is an element of human nature in all of this, and if you give anyone this latitude and you don't have this inspection right over them, they are going to do it."

Representatives Rabel and Pardini spoke again in favor of their amendment, and Representatives Luders, Leckenby, Charette and Clemente spoke against it.

The amendment was not adopted.

Mr. Pullen moved adoption of the following amendment:

On page 1, section 1, line 12 delete the period and insert ": PROVIDED, That each person authorized to conduct such inspections and searches shall be given a pamphlet prepared by the Office of the Attorney General explaining the meaning and intent of the Fourth Amendment to the United States Constitution."

Mr. Pullen spoke in favor of the amendment, and Mr. Charette spoke against it.

The amendment was not adopted.

House Bill No. 1297 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1297 was placed on final passage.

Mr. Martinis spoke in favor of the bill.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "I think we are, in effect, being asked to act as a jury on a rather difficult question here--whether or not a search without warrant is strictly legitimate. I wonder if you could give me some precedence elsewhere in the state law where searching without law is contained inside the state law?"

Mr. Charette: "Presently, Representative Douthwaite, if you were hardy enough to fish steelhead, you would be drifting down the river and if the game warden was on the side, he could pull you aside and say 'Let's see your basket,' or 'Let's see your sack,' to see if you have any steelhead in it. And if you have been lucky enough to catch steelhead, then he would say to you 'Let's see your punchcard,' which you have on your person. If you haven't punched out the card, you could be arrested and your fish and fishing gear could be confiscated. I personally think that this is a good rule because there are a number of people in the past who have tried to take steelhead when they couldn't. Presently, the Game Department has other search authorities that are restricted by warrant. Actually, what we are talking about is a natural resource that is of limited supply, a fisheries management in steelhead, not only with planting in some rivers but allowing the take and protection along the various streams. I don't consider this the surrender of a right, but the acceptance of a condition for the right to fish."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1297, and the bill passed the House by the following vote: Yeas, 80; nays, 16; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Kishimoto, Knowles, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Smith, Sommers, Thompson, Tilly, Valle, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Brown, Charnley, Eng, Gilleland, Goltz, Hayner, Juelling, Julin, Kopet, Kraabel, Pardini, Polk, Rabel, Shinpoch, Van Dyk.

Not voting: Representatives Kelley, Warnke.

Engrossed House Bill No. 1297, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1303, by Representatives Gaspard, Pardini and Ceccarelli:

Providing for changes in the state securities law.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal for thirteenth day, 3rd ex. sess., January 26, 1974.)

On motion of Mr. Gaspard, the committee amendments were adopted.

House Bill No. 1303 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1303 was placed on final passage.

Mr. Gaspard spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1303, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charnley, Douthwaite, Moon.

Not voting: Representative Kelley.

Engrossed House Bill No. 1303, having received the constitutional majority, was declared passed. There being

no objection, the title of the bill was ordered to stand as the title of the act.

#### NOTICE OF RECONSIDERATION

Mr. Randall, having voted on the prevailing side, served notice that he would, on the next working day, move for reconsideration of the vote by which Substitute House Bill No. 1049 passed the House.

HOUSE BILL NO. 380, by Representatives Thompson, Rabel, Savage, Anderson, Charnley, Kilbury, Maxie and Paris:

Providing for workmen's compensation cost of living increases.

The bill was read the second time.

Committee on Labor recommendation: Majority, do pass as amended. (For amendments, see Journal for thirteenth day, 3rd ex. sess., January 26, 1974.)

On motion of Mr. Savage, the committee amendment was adopted.

Mr. Morrison moved adoption of the following amendment: On page 2, line 18 add a new section as follows:

"NEW SECTION. Sec. 3. The provisions of this act shall automatically expire on July 1, 1976, unless extended by the legislature."

Mr. Morrison spoke in favor of the amendment, and Mr. Savage spoke against it.

Mr. Morrison spoke again in favor of the amendment.

Mr. Van Dyk demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment to House Bill No. 380 by Mr. Morrison, and the amendment was lost by the following vote: Yeas, 38; nays, 56; not voting, 4.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hayner, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansey, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin,

Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Randall, Savage, Shimpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

Not voting: Representatives Kelley, Perry, Zimmerman, and Mr. Speaker.

On motion of Mr. Savage, the committee amendment to the title was adopted.

House Bill No. 380 was ordered engrossed.

Engrossed House Bill No. 380 was passed to Rules for third reading.

#### EXPLANATION OF VOTE

On Representative Morrison's amendment to House Bill No. 380, my voting lever did not respond to record my vote. I voted "No" on the amendment.

HAROLD S. ZIMMERMAN, 17th District.

#### NOTICE OF RECONSIDERATION

Mr. Berentson, having voted on the prevailing side, served notice that he would, on the next working day move for reconsideration of the vote by which Engrossed House Bill No. 1194 passed the House.

HOUSE BILL NO. 637, by Representatives Charette, Thompson, Bausch, Conner, Jastad, Van Dyk, Anderson, Savage, Benitz, Schumaker, Zimmerman, Newhouse, Planagan, Clemente, Goltz, Paris, Kalich, Haussler, Swayze, North (Lois) and Berentson:

Enacting the forest practices act of 1973.

#### MOTION

On motion of Mr. Martinis, Second Substitute House Bill No. 637 was substituted for House Bill No. 637 and the substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 637 was read the second time.

On motion of Mr. Conner, the following amendments were adopted:

On page 5, section 3, after subsection (c) insert a new subsection to read as follows:

"(c) The director of the department of agriculture or his designee;"

ReNUMBER the remaining subsections

On page 5, section 3, line 13 strike "Three" and insert "Four"

On page 5, section 3, line 19 strike "term of one member" and insert "terms of two members"

On motion of Mr. Martinis, the following amendments were adopted:

On page 10, section 6, line 31 after "it." insert "(a)"

On page 11, section 6, line 1 before "The" insert "(i)"

On page 11, section 6, line 6 before "Completion" strike "(b)" and insert "(ii)"

On page 11, section 6, line 11 before "The" strike "(c)" and insert "(iii)"

On page 11, section 6, line 15 before "If" insert "(b)"

On page 11, section 6, line 17 before "For" strike "(d)" and insert "(i)"

On page 11, section 6, line 22 before "Failure" strike "(e)" and insert "(ii)"

On page 11, section 6, line 29 before "Conversion" strike "(f)" and insert "(iii)"

On page 12, section 6, line 2 before "The" insert "(4)"

Renumber the remaining subsections consecutively

On page 30, section 37, line 10 after "5," and before "20" insert "6,"

On page 30, section 37, line 14 after "2," and before "7" strike "6,"

On page 7, section 5, beginning on line 28 after "practice" strike all the material down to and including "1975," on line 29 and insert "during 1974"

On page 7, section 5, line 31 after "1975" strike ", and if the department has approved such application" and insert ": PROVIDED FURTHER, That in the event forest practices regulations necessary for the scheduled implementation of this 1974 act have not been adopted in time to meet such schedules, the department shall have the authority to approve applications on such terms and conditions consistent with this 1974 act and the purposes and policies of section 1 of this 1974 act until applicable forest practices regulations are in effect."

On page 8, section 5, line 12 after "approvals" and before the period insert ": PROVIDED FURTHER, That the department shall have until April 1, 1975 to approve or disapprove an application involving forest practices allowed to continue to April 1, 1975 under the provisions of subsection (2) of this section"

On page 17, section 17, line 32 after "shall" and before "a penalty" strike "incur" and insert "be subject to"

On page 30, section 35, beginning on line 2 after "76.08.030" strike all the material down to and including "act" in line 5 and insert "during 1974 shall be effective until April 1, 1975 if an application has been submitted under the provisions of section 5 of this 1974 act prior to January 1, 1975"

Second Substitute House Bill No. 637 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute House Bill No. 637 was placed on final passage.

Representatives Martinis, Goltz, Conner and Haussler spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 637, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Anderson, Charette.

Not voting: Representatives Kelley, Perry, Randall.

Engrossed Second Substitute House Bill No. 637, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 670, by Representatives Nelson, Gilleland, Charnley and Beck:

Pertaining to local sales taxes adopted to finance local public transportation systems.

#### MOTION

On motion of Mr. Thompson, Substitute House Bill No. 670 was substituted for House Bill No. 670, and the substitute bill was placed on the calendar for second reading.

#### MOTION

Mr. Thompson moved that Substitute House Bill No. 670 be rereferred to the Committee on Ways and Means - Revenue.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Thompson, I have been advised by one of the sponsors of this bill that this bill in its present form went to the Transportation Committee when it was

originally introduced, from there it went to the Revenue Committee, from the Revenue Committee it went to the full Ways and Means Committee, and then back to the Transportation Committee. I am wondering why it now goes back to Ways and Means - Revenue?"

Mr. Thompson: "If that were the case, Representative Pardini, I am sure that the Transportation Committee Chairman would not accede to a request that it be reviewed by the Revenue Committee. I also think I can provide the assurances of the absent Revenue Committee Chairman that this will not result in a delay in its consideration on the floor of this House for second reading."

Mr. Pardini spoke against the motion to rerefer the bill.

The motion was carried on a rising vote.

HOUSE BILL NO. 916, by Representatives McCormick, Bagnariol and May:

Relating to outdoor advertising.

#### MOTION

On motion of Mr. Thompson, further consideration of House Bill No. 916 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 1183, by Representatives Parker, Polk and Adams:

Making certain changes in the laws relating to emergency services.

The bill was read the second time.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1183 was placed on final passage.

Mr. Parker spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1183, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler,



Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Lackenby, May, Moon.

Not voting: Representatives Kelley, Perry.

House Bill No. 1183, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1209, by Representatives Fortson, Hayner, Gaines, Hansen and North (Frances):

Extending another month time when school directors shall notify certificated employee that there is probable cause his employment contract will not be renewed.

#### MOTION

On motion of Mr. Conner, further consideration of House Bill No. 1209 was deferred and the bill was ordered placed on the calendar following House Bill No. 1238.

#### MOTIONS

On motion of Mr. Thompson, the following bills were rereferred to the Committee on Ways and Means - Appropriations: HOUSE BILL NO. 1323, HOUSE BILL NO. 1523, HOUSE BILL NO. 1544.

On motion of Mr. Thompson, further consideration of the bills on today's calendar were deferred and the bills were ordered placed on the calendar of the next working day.

On motion of Mr. Thompson, the House reverted to the fifth order of business.

#### STATEMENT FOR THE JOURNAL

I was excused on Tuesday, January 29, 1974. Had I been present on the floor of the House, I would have voted yes on the following bills: Engrossed Substitute House Bill No. 135; Engrossed House Bill No. 549; Engrossed Second Substitute House Bill No. 637; Substitute House Bill No. 748; Substitute House Bill No. 1049; and House Bill No. 1084.

DICK KISHIMOTO, 49th District.

## REPORTS OF STANDING COMMITTEES

January 28, 1974

HOUSE BILL NO. 816, Prime sponsor: Representative Hansen, requiring trains to show oscillating lights, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 3 strike "Each locomotive" and insert "The lead unit of every engine-consist"

On page 2, section 1, line 4 after "equipped" insert "as of January, 1976"

On page 2, beginning on line 9 strike all of section 2

On page 1, line 2 of the title, after "81.44.030" insert a period and strike the remainder of the title

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Clemente, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Schumaker.

To Committee on Rules for second reading.

January 28, 1974

HOUSE BILL NO. 1255, Prime sponsor: Representative Gallagher, permitting compactor type two axle garbage trucks to purchase additional gross weight tolerances, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Clemente, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Lysen, Nelson, Patterson, Schumaker, Wilson.

To Committee on Rules for second reading.

January 28, 1974

HOUSE BILL NO. 1295, Prime sponsor: Representative Perry, providing for the establishment, improvement and upgrading of bicycle routes, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 3, line 12 after "Prior to" strike "April" and insert "July"

On page 2, section 4, line 31 after "cities" insert "and counties"

On page 2, section 4, line 33 after "cities" insert "and counties"

On page 3, section 5, line 5 after "out" strike "the pilot programs provided for in section" and insert "the provisions of sections 3 and"

On page 4, beginning on line 23 insert a new section as follows:

"Sec. 12. Section 83, chapter 155, Laws of 1965 1st ex. sess. and RCW 46.61.770 are each amended to read as follows:

(1) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable and may utilize the shoulder of the roadway if such exists, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(2) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(3) Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway."

Renumber the remaining section

On page 1, line 1 of the title after "routes" and before the semicolon insert "and bicycles"

On page 1, line 8 of the title after "chapter 35.77 RCW;" insert "amending section 83, chapter 155, Laws of 1965 1st ex. sess. and RCW 46.61.770;"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Douthwaite, Gaines, Gallagher, Gilleland, Hansen, Kraabel, Lysen, Nelson, Pullen, Schumaker, Wilson.

To Committee on Rules for second reading.

January 28, 1974

HOUSE BILL NO. 1395, Prime sponsor: Representative Clemente, establishing safety requirements for private carrier buses used for transporting school children to private schools, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Clemente, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Schumaker.

To Committee on Rules for second reading.

January 28, 1974

HOUSE BILL NO. 1463, Prime sponsor: Representative Perry, authorizing school districts to enter into contracts with other governmental entities to provide for transportation of both students and the public through use of school transportation facilities, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendment that had been adopted by the Committee on Education:

On page 1, section 1, line 7 after "directors" insert "or any intermediate school district board"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Clemente, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Lysen, Nelson, Patterson, Schumaker, Wilson.

To Committee on Rules for second reading.

#### MOTION

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

#### MOTION FOR RECONSIDERATION

Mr. Williams, having given notice on the preceding day, moved that the House do now reconsider the vote by which Engrossed House Bill No. 303 failed to pass the House.

Representatives Williams, Moon and Conner spoke in favor of the motion, and Representative Berentson spoke against it.

Mr. Chatalas demanded an electric roll call and the demand was sustained.

Mr. Hansey spoke against the motion, and Mr. Moon spoke again in favor of it.

Representatives Garrett and Wilson spoke against the motion and Mr. Moon spoke in favor of it.

#### POINT OF ORDER

Mr. Blair: "Mr. Speaker, I believe Mr. Moon is speaking for the third time on this subject."

The Speaker (Mr. O'Brien presiding): "Your point is well taken, Mr. Blair."

Mr. Van Dyk spoke in favor of the motion to reconsider final passage of Engrossed House Bill No. 303.

#### POINT OF INQUIRY

Mr. Moon yielded to question by Mr. May.

Mr. May: "You said it would only cost \$28,000 this year, but you forgot to talk about the estimate of yesterday that it would cost up to a half million dollars."

Mr. Moon: "For the balance of the biennium, it will cost approximately \$28,000, and the biennial impact will be approximately \$178,000--that's every two years. Out of this \$178,000, over \$130,000 will be going directly to local government, either as a payment directly, or in the form of services. Again I would like to say that this, in my opinion, is a small amount of money to pay for any lives that we may save or any serious burn injuries that may be incurred if we should not pass this bill."

Mr. Berentson spoke against the motion to reconsider.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Williams to reconsider the vote by which Engrossed House Bill No. 303 failed to pass the House, and the motion was carried by the following vote: Yeas, 51; nays, 45; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Moon, North F., O'Brien, Parker, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bausch, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jueling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, May, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Warnke, Wilson, Zimmerman.

Not voting: Representatives Kelley, Perry.

#### MOTIONS

On motion of Mr. Charette, the House deferred further consideration of Engrossed House Bill No. 303 until the next working day.

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Wednesday, January 30, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

SEVENTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, January 30, 1974.

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Lloyd F. Holloway of the United Methodist Church of Chehalis.

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

, MESSAGE FROM THE SENATE

January 29, 1974

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2017,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2017, by Committee on State Government (Originally sponsored by Senators Bailey, Durkan, Peterson (Ted), Rasmussen and Washington):

AN ACT Relating to veterans benefits; amending section 2, chapter 154, Laws of 1972 ex. sess. and RCW 73.34.020; amending section 10, chapter 154, Laws of 1972 ex. sess. and RCW 73.34.090; and amending section 13, chapter 154, Laws of 1972 ex. sess. and RCW 73.34.120.

To Committee on State Government.

REPORTS OF STANDING COMMITTEES

January 29, 1974

HOUSE BILL NO. 1186, Prime sponsor: Representative Smith, implementing the law relating to the oceanographic commission, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Ehlers, Gaines, Hurley, Lysen, Moon, Thompson.

January 28, 1974

HOUSE BILL NO. 1187, Prime sponsor: Representative Shinpoch, creating the data processing revolving fund, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Amen, Bagnariol, Bausch, Blair, Charette, Curtis, Ehlers, Gaspard, Hansey, Hoggins, Kopet, North (Lois), Polk, Smith, Valle, Van Dyk, Warnke, Zimmerman.

January 28, 1974

HOUSE BILL NO. 1206, Prime sponsor: Representative Bagnariol, transferring the federal revenue sharing trust fund to the state general fund, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Amen, Bagnariol, Bausch, Blair, Charette, Curtis, Ehlers, Gaspard, Hansey, Hoggins, Kopet, North (Lois), Polk, Smith, Valle, Van Dyk, Warnke, Zimmerman.

January 28, 1974

HOUSE BILL NO. 1261, Prime sponsor: Representative Bagnariol, abolishing the motor vehicle excise tax fund and providing for the distribution of motor vehicle excise taxes from the general fund, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; North (Frances), Chairwoman; Amen, Bagnariol, Bausch, Blair, Charette, Curtis, Ehlers, Hansey, Hoggins, Kopet, North (Lois), Polk, Smith, Valle, Van Dyk, Zimmerman.

January 25, 1974

HOUSE BILL NO. 1276, Prime sponsor: Representative Charette, defining exempted transactions under the consumer protection act, reported by Committee on Commerce.

MAJORITY recommendation: Do pass. Signed by Representatives Wojahn, Chairwoman; Adams, Ceccarelli, Curtis, Gallagher, Juelling, Newhouse, Perry, Randall, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Jastad, Vice Chairman; Garrett, Gilleland, Kuehne, Wilson.

January 29, 1974

HOUSE BILL NO. 1344, Prime sponsor: Representative Parker, providing special park permits for elderly and disabled persons, reported by Committee on Parks and Recreation.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hurley, Chairwoman; Gaines, Vice Chairman; Garrett, Honan, North (Frances), Paris, Randall, Savage.

January 29, 1974

HOUSE BILL NO. 1408, Prime sponsor: Representative Hansey, making certain changes in the firewood permit system, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 20 after "~~(one dollar)~~" strike "five dollars" and insert "two dollars and fifty cents"

On page 1, section 2, line 26 after "~~(twelve)~~" strike "five" and insert "six"

Signed by Representatives Bausch, Vice Chairman; Anderson, Clemente, Gilleland, Hansen, Hansey, Haussler, Kalich, Kilbury, Kishimoto.

January 28, 1974

HOUSE BILL NO. 1423, Prime sponsor: Representative Perry, amending the laws relating to tax on ATV fuel, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 3, beginning on line 14 after "amounts" strike all of the material down through "vehicles." on line 19 and insert "which have been determined to be ((a tax on all terrain vehicle fuel in an amount not to exceed one million dollars for the 1974-73 biennium; and)) the tax on fuel used and purchased for providing the motive power for all-terrain vehicles, but which shall in no event exceed one percent of the motor vehicle fuel tax revenues collected pursuant to chapter 82.36 RCW for the applicable period."

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Clemente, Douthwaite, Gaines, Gallagher, Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Nelson, Patterson.

January 29, 1974

ENGROSSED SENATE BILL NO. 2946, Prime sponsor: Senator Knoblauch, implementing the law of state shorelands and tidelands, reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 17 after "Washington" insert "may"



On page 2, section 2, line 21 after "city-county" strike "or county" and insert ", county or state agency"

On page 3, section 2, beginning on line 3, after "city-county" strike "or county" and insert ", county or state agency"

Signed by Representatives Hurley, Chairwoman; Gaines, Vice Chairman; Garrett, Honan, North (Frances), Randall, Savage.

#### MOTIONS

On motion of Mr. Thompson, all bills listed on the fifth order of business were referred to the Committee on Rules for second reading.

On motion of Mr. Thompson, the following bills were rereferred from the Committee on Rules to the Committee on Ways and Means - Appropriations: HOUSE BILL NO. 101, HOUSE BILL NO. 103, HOUSE BILL NO. 1037, HOUSE BILL NO. 1043, HOUSE BILL NO. 1051, HOUSE BILL NO. 1195, HOUSE BILL NO. 1196, and HOUSE BILL NO. 1412.

#### SECOND READING

HOUSE BILL NO. 1231, by Representatives Clemente, Flanagan and Thompson:

Raising monetary amounts necessary for bids for work or purchases by school districts.

#### MOTION

On motion of Mr. Thompson, further consideration of House Bill No. 1231 was deferred, and the bill was ordered placed on the calendar after House Bill No. 916.

HOUSE BILL NO. 1238, by Representatives Conner, Anderson and Berentson:

Providing for permits for logging trucks.

The bill was read the second time.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1238 was placed on final passage.

Mr. Conner spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1238, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette,

Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Gaspard, Hoggins, Kopet, Moon.

House Bill No. 1238, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1209, by Representatives Fortson, Hayner, Gaines, Hansen and North (Frances):

Extending another month time when school directors shall notify certificated employee that there is probable cause his employment contract will not be renewed.

The bill was read the second time.

On motion of Mrs. Fortson, the following amendment by Representatives Fortson, Hayner and Erickson was adopted:

On page 2, section 1, line 8 strike "~~(April)~~ May" and insert "April"

The Clerk read the following amendment by Representatives Fortson, Hayner and Erickson:

On page 2, section 1, line 11 following "contract" insert "": PROVIDED, That when either the funds available to the school district from special levy sources or the legislature are not known or when an employee has been placed on probation in accordance with RCW 28A.67.065, such date of notification shall be extended to May 15"

Mrs. Fortson moved adoption of the amendment.

Mr. King moved adoption of the following amendment to the amendment by Representatives Fortson, Hayner and Erickson:

On line 2 of the amendment, strike "special levy sources or" and after "when" strike "either"

Mr. King spoke in favor of the amendment to the amendment, and Mr. Van Dyk spoke against it.

Mrs. Fortson spoke against the amendment to the amendment, and Mrs. Hurley spoke in favor of it.

The amendment to the amendment was not adopted on a rising vote.

#### POINT OF INQUIRY

Mrs. Fortson yielded to question by Mr. Curtis.

Mr. Curtis: "Mrs. Fortson, I think I am in sympathy with what you are trying to do and maybe I just don't understand the mechanics, but what happens under this proposed amendment when school directors and teachers and boards, etc., all over the state go to bed on the night of April 13th and the Legislature is going away merrily and at 3:30 in the morning of the 14th (that's a Saturday) we adjourn. We have approved a budget, and the school directors wake up to find the budget is not adequate to cover positions, etc. They have only until the next day, which isn't a working day, to notify the teachers. How do we handle that? This looks like a problem."

Mrs. Fortson: "Mr. Curtis, I can't answer that exactly, but I would assume that most school boards would call a special meeting."

Mr. Curtis: "I'm just not familiar with the mechanics of this. How does the notification work--or is it simply that they need to be notified if their contract is not renewed, and if they are not notified, then the contract is considered to be renewed? Is that the situation?"

Mrs. Fortson: "Yes, it is."

Mr. Curtis spoke against the amendment, and Mr. Leckenby spoke in favor of it.

#### POINT OF INFORMATION

Mr. Amen: "We have passed the first amendment on this measure, is that right?"

The Speaker: "Yes, we have."

Mr. Amen: "Then if we defeat this other one, we go right back to where we were before the bill was introduced?"

The Speaker: "In the sense that if we passed the first amendment and then defeat this, then you would really nullify the bill."

#### POINT OF INQUIRY

Mrs. Hayner yielded to question by Mrs. Hurley.

Mrs. Hurley: "Representative Hayner, would you tell me what RCW 28A.67.065 means in relation to probation?"

Mrs. Hayner: "This provides that, if there is a problem with the teacher's performance and she is put on

probation, her probation period may not have expired by the time that this notice is required to go out and that is why this exception is made."

Mrs. Hurley: "This is not then the usual probation of one year or two years that some districts adopt for teachers?"

Mrs. Hayner: "No, it is not."

Mrs. Hayner spoke in favor of the amendment, and Mr. Hoggins spoke against it.

The amendment was adopted on a rising vote.

Mr. Kraabel moved adoption of the following amendment by Representatives Kraabel and Eng:

On page 3, line 18 add a new section to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Any school district board of directors may agree to pay the necessary travel expenses of a prospective certificated employee as an inducement for such applicant to travel to a designated place to be interviewed by and for the convenience of the board: PROVIDED, That such agreement may be made only for positions with the district that the board itself is required to fill either by state law or by rule and regulation of the state board of education or the superintendent of public instruction. Travel expenses authorized for prospective certificated employees called for interviews shall be payable at not more than the rates prescribed by law for state employees under RCW 43.03.050 and 43.03.060."

Mr. Kraabel spoke in favor of the amendment.

#### POINT OF ORDER

Mr. Julin: "Mr. Speaker, I question whether or not this amendment is within the scope and object of the bill. I think the bill deals with certificated employees and this is dealing with prospective employees."

#### RULING BY THE SPEAKER

The Speaker: "The Speaker, in reading this, has somewhat anticipated your point of order, Mr. Julin. The Speaker feels that this may well be within the title, but it certainly is not within the scope of the intent of the bill, so therefore I would have to say the point of order is well taken, and the amendment is out of order."

House Bill No. 1209 was ordered engrossed and passed to the Committee on Rules for third reading.

HOUSE BILL NO. 1282, by Representatives Bauer, Brown and Perry (by Superintendent of Public Instruction request):

Authorizing school transportation pilot program and transferring certain programs from jurisdiction of superintendent of public instruction.

The bill was read the second time.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1282 was placed on final passage.

Mr. Bauer spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1282, and the bill passed the House by the following vote: Yeas, 92; nays, 5; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Gaines, Juelling, Kuehnle, Nelson, Pullen.

Not voting: Representative Kopet.

House Bill No. 1282, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1494, by Representatives O'Brien, Perry, Wojahn, Ceccarelli, Bagnariol, Pardini, Thompson, Gallagher, Bauer, Chatalas, Eng, Hurley, Maxie, May, McCormick, Van Dyk and Warnke:

Including furnishing of textbooks among ancillary services of school districts.

The bill was read the second time.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1494 was placed on final passage.

Mr. O'Brien spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1494, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kopet.

House Bill No. 1494, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. O'Brien assumed the Chair.

## MOTION

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

## RESOLUTIONS

HOUSE RESOLUTION NO. 74-163, by Representatives Beck, Polk, Randall, Smith, Bausch, Parker and Honan:

WHEREAS, Captain Ernest E. Tissot, United States Navy, Commanding Officer of the world's mightiest ship of war, the aircraft carrier U.S.S. Enterprise, is one of our Navy's most distinguished and heroic officers; and

WHEREAS, Captain Tissot flew fifty combat missions over Korea and two hundred thirty combat missions over Vietnam; and, over a period of twenty years, flying eleven different types of aircraft from fifteen aircraft carriers, became the third aviator in naval history to achieve one thousand arrested carrier landings; and

WHEREAS, Our Nation has honored Captain Tissot by the bestowal of decorations including the Silver Star Medal, Legion of Merit, Distinguished Flying Crosses, Air Medals, Navy Commendation Medal and Navy Unit Commendation; and

WHEREAS, Captain Tissot's command, the U.S.S. Enterprise, the largest, costliest, most complex warship ever built, and the world's only nuclear carrier, has been undergoing a \$15.4 million overhaul and modernization at the Puget Sound Naval Shipyard in Bremerton, Washington, giving recognition to that facility as one of the most essential to our nation's defense; and

WHEREAS, The presence of the U.S.S. Enterprise has had a major beneficial effect upon the economy of our state, including the \$9.6 million in salary to the 3,500 officers and men of her crew, and a total contribution to the economy of the State of Washington of at least \$28 million within a six month period; and

WHEREAS, Captain Tissot and the U.S.S. Enterprise have, by their presence, thus assisted this Legislature in the search for revenues to maintain the essential functions of State government; and

WHEREAS, The officers and men of the U.S.S. Enterprise have endeared themselves to the hearts of the Washington citizens with whom they have come in contact; and

WHEREAS, The U.S.S. Enterprise is scheduled to leave the waters of our State on February 2, 1974, to rejoin the Fleet;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, that it extends its deep appreciation and best wishes for calm seas, fair weather and smooth sailing to Captain Ernest E. Tissot, and through him to the 3,500 officers and men of the great and gallant ship which he commands;

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to Captain Tissot as a token of high regard and a memento of the stay of the U.S.S. Enterprise upon the waters of Puget Sound and the State of Washington.

Mr. Beck moved adoption of the resolution.

Representatives Beck, Polk and Honan spoke in favor of the resolution, and it was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House Captain Ernest E. Tissot, Commanding Officer of the U.S.S. Enterprise, and Commander Barnhart, and asked Representatives Beck, Smith, Randall and Honan to escort them to the rostrum.

The Speaker (Mr. O'Brien presiding): "Captain Tissot, there have already been so many nice things said about you that it is not necessary for me to reiterate some of the great things that you have accomplished, except that I would like to state that the Captain flew 50 combat missions in the Korean conflict and has served since then in a variety of leadership and command positions. He became the commanding officer of the U.S.S. Enterprise in

1971. I know that the members of the House would like to hear from you, Captain, and, incidentally, I understand that you are soon to become an Admiral. At this time it is my great honor and privilege to present to you Captain Ernest E. Tissot."

Captain Tissot: "Thank you very much, Mr. Speaker, and distinguished legislators, ladies and gentlemen: It is really an honor and a privilege to be here today in Olympia. Your Capitol is impressive and very beautiful and my visit here is the highlight of my six-months stay in Washington. I have followed your activities through the newspapers, and as a private citizen I fully appreciate the tremendous tasks you face in solving the problems ahead. I am confident though that you will reach the best possible solutions by the full exercise of our democratic processes. I wish you well in the prosecution of these tasks.

"As you know, I have the privilege of commanding the U.S.S. Enterprise, the largest warship in the world. She is the 8th Enterprise that has served our great nation. The first one was a sailing ship captured from the British in 1775, so the name Enterprise has been around a long time. The most famous, of course, was the Big E of World War II, an aircraft carrier. She was Admiral Halsey's flag ship throughout the war. She saw more combat and action than any other Navy ship, and she was characterized by the last Secretary of the Navy, James E. Forrestal, as 'the one ship that most nearly symbolized the history of the Navy in World War II.' She was also in Bremerton briefly in 1945 for repairs from kamikaze damage. My Enterprise is a little bit larger; she is 1123 feet long, 25 stories high; she grosses out at 90,000 tons; her flight deck is about 4 and 1/2 acres in area; when we load our 80-some airplanes on board we have a compliment of about 5500 people. We are powered by 8 nuclear reactors, and that is the largest assemblage of reactors in one location in the world. She's an impressive ship and I believe a very important part of the defense of our nation.

"We came to Bremerton on the first day of August last year, and we have been at the naval shipyards there ever since, getting voyage repairs, modernization, refurbishing of equipment and, as Representative Beck mentioned, getting outfitted to support the Navy's newest fighter, the F-14 Tomcat. We brought several hundred automobiles with us, and about 400 or so families that were speedily located in Bremerton and surrounding areas. I'll take back about eleven hundred vehicles, and several hundred families, and we figure we are going to save about 75,000 gallons of fuel by carrying these cars on our ship. You may not be able to see the ship here in a couple of days because it will be covered with automobiles.

"We have nuclear fuel left in the ship for the ship's propulsion for about ten more years and I've traveled three years so far on this, and I'm down to about 80% of capacity. I think the Enterprise may approach sailing a million miles on this load of nuclear fuel. We'll have to wait and see, though. That's a tremendous advantage, having all that fuel aboard and not worrying about refueling on your ship except every 13 or so years. My



crew is a cross-section of our country; more than half of the sailors aboard are 21 years of age or less. I have many 17, 18 and 19-year olds. I have all the people problems that have faced our nation, but I must say that they affect only a very small part of my crew. The vast majority of our young men are good young men who are just as capable as the young people of our country have ever been. When you ask them to perform, they will perform just as well. I have complete confidence in them and I'm very proud of them.

"I've spent the entire portion of my adult life in the service. I joined the Navy one week out of high school, and I really know nothing else. I have had the privilege of doing exactly as I wanted to do in life and still feeling that I contributed something to the defense of my country. It is a very good feeling. I'm proud to be a serviceman and I'm very proud of my fellow servicemen; and if ever we need a vivid example of the moral fiber of the leaders of our military, we might look at the example provided by our gallant returned prisoners of war. They came home from years of terrible incarceration and their strength and their ideals of our country and the people in it have remained unshaken. They still feel that way after being home a year or so. In this day and age where carping, criticism and condemnation are very prevalent, I think this is a magnificent accomplishment.

"The Enterprise soon sails south to Alameda, where we are going back to our home, and I must say that the crew has sincerely enjoyed their visit in your great state. We have had a good stay at the shipyards, and it's a very good shipyard. The majestic scenery of your state has only been matched by the friendliness of its people. This is a truly genuine friendliness, that has struck us all. My crew continually comes up and tells me how well they have been received. I have seen it myself, but it has gone down to every member of my crew.

"You will see our ship in Bremerton in future years and I know the men that are in the crew then will have the same warm welcome that we have received. So speaking for the entire crew of the Enterprise, I salute the state of Washington and its people and we look forward to future visits."

The Speaker (Mr. O'Brien presiding) asked the escort committee to escort Captain Tissot and Commander Barnhart from the rostrum.

#### MOTION

On motion of Mr. Charette, the House reverted to the sixth order of business.

#### SECOND READING

HOUSE BILL NO. 1525, by Representatives Adams, Knowles, Freeman, Kelley, Parker, Wojahn and Matthews:

Relating to civil commitment.

The bill was read the second time.

On motion of Mr. Smith, Substitute House Bill No. 1525 was substituted for House Bill No. 1525, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1525 was read the second time.

On motion of Mr. Matthews, the following amendment by Representatives Matthews, Parker and Knowles was adopted:

On page 6, section 3, line 13 after "sections" and before "of" strike "27 and 30" and insert "26 and 29"

The Clerk read the following amendment by Representative Smith:

On page 18, beginning on line 19 strike all of section 17

Mr. Smith moved adoption of the amendment, and spoke in favor of it.

Representatives Parker, May, Curtis, Valle, Julin, Kelley and Leckenby spoke in favor of the amendment, and Representatives Knowles, Pardini and Charette spoke against it.

Mr. Conner demanded an electric roll call, and the demand was sustained.

Mr. Smith spoke again in favor of his amendment, and Mr. Gaspard spoke against it.

Mr. Conner demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the amendment by Representative Smith to Substitute House Bill No. 1525, and the amendment was not adopted by the following vote: Yeas, 35; nays, 59; not voting, 4.

Voting yea: Representatives Anderson, Blair, Ceccarelli, Clemente, Conner, Curtis, Eng, Erickson, Gallagher, Goltz, Haussler, Hurley, Johnson, Julin, Kelley, King, Kraabel, Kuehnle, Laughlin, Leckenby, Maxie, May, Moon, North F., North L., O'Brien, Rabel, Randall, Shinpoch, Smith, Thompson, Valle, Van Dyk, Williams, Zimmerman.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Charette, Charnley, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Jastad, Juelling, Kalich, Kilbury, Kishimoto, Knowles, Luders, Lysen, Martinis, McCormick, Morrison, Nelson, Newhouse, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Savage, Schumaker, Sommers, Tilly, Warnke, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Bluechel, Chatalas, Kopet, Matthews.

Substitute House Bill No. 1525 was ordered engrossed.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1525 was placed on final passage.

Representatives Parker, Eikenberry, Blair and Charette spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1525, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kopet.

Engrossed Substitute House Bill No. 1525, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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 AFTERNOON SESSION  
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The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representative Kopet, who was excused.

MESSAGE FROM THE SENATE

January 29, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2058,  
 ENGROSSED SENATE BILL NO. 2248,  
 REENGROSSED SENATE BILL NO. 2408,  
 ENGROSSED SENATE BILL NO. 2551,  
 ENGROSSED 2ND SUBSTITUTE SENATE BILL NO. 2583,  
 REENGROSSED SENATE BILL NO. 2584,  
 ENGROSSED 2ND SUBSTITUTE SENATE BILL NO. 2634,  
 REENGROSSED SENATE BILL NO. 2669,  
 ENGROSSED SENATE BILL NO. 2939,  
 ENGROSSED SENATE BILL NO. 3002,  
 SENATE BILL NO. 3016,  
 SENATE BILL NO. 3022,  
 ENGROSSED SENATE BILL NO. 3023,  
 ENGROSSED SENATE BILL NO. 3024,  
 SENATE BILL NO. 3029,  
 SUBSTITUTE SENATE BILL NO. 3032,  
 SENATE BILL NO. 3037,  
 SENATE BILL NO. 3050,  
 ENGROSSED SENATE BILL NO. 3051,  
 SENATE BILL NO. 3075,  
 SENATE BILL NO. 3079,  
 SENATE BILL NO. 3080,  
 SUBSTITUTE SENATE BILL NO. 3106,  
 ENGROSSED SENATE BILL NO. 3122,  
 SENATE BILL NO. 3130,  
 SENATE BILL NO. 3144,  
 SENATE BILL NO. 3159,  
 ENGROSSED SENATE BILL NO. 3168,  
 SENATE BILL NO. 3184,  
 ENGROSSED SENATE BILL NO. 3284,  
 SENATE BILL NO. 3285,  
 SENATE JOINT MEMORIAL NO. 106,  
 ENGROSSED SENATE JOINT MEMORIAL NO. 134,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2058, by Senators Bottiger, Henry and Woodall (by Legislative Council request):

AN ACT Relating to motor vehicles law enforcement; amending section 46.64.015, chapter 12, Laws of 1961 as amended by section 70, chapter 32, Laws of 1967 and RCW 46.64.015; amending section 46.64.030, chapter 12, Laws of 1961 as amended by section 72, chapter 32, Laws of 1967 and RCW 46.64.030; and adding a new section to chapter 32, Laws of 1967, and to chapter 46.64 RCW.

To Committee on Judiciary.

ENGROSSED SENATE BILL NO. 2248, by Senators Woody, Atwood and Bottiger:

AN ACT Relating to court reporters; amending section 1, chapter 126, Laws of 1913 as last amended by section 1, chapter 244, Laws of 1957 and RCW 2.32.180; prescribing penalties; and adding new sections to chapter 2.32 RCW.

To Committee on Judiciary.

REENGROSSED SENATE BILL NO. 2408, by Senators Walgren, Twig and Sandison:

AN ACT Relating to municipal competitive bidding requirements; providing remedies; amending section 35.23.352, chapter 7, Laws of 1965 as amended by section 1, chapter 114, Laws of 1965 and RCW 35.23.352; adding a new section to chapter 39.30 RCW; and prescribing penalties.

To Committee on Local Government.

ENGROSSED SENATE BILL NO. 2551, by Senators Wanamaker and Walgren:

AN ACT Relating to motor vehicles; and amending section 46.68.130, chapter 12, Laws of 1961 as last amended by section 7, chapter 103, Laws of 1972 ex. sess. and RCW 46.68.130.

To Committee on Transportation and Utilities.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2583, by Committee on Transportation and Utilities (Originally sponsored by Senators Matson and Peterson [Lowell]):

AN ACT Relating to motor vehicle size, weight, and load; amending section 46.44.091, chapter 12, Laws of 1961 as amended by section 30, chapter 281, Laws of 1969 ex. sess. and RCW 46.44.091; amending section 46.44.040,

chapter 12, Laws of 1961 as last amended by section 1, chapter 150, Laws of 1973 1st ex. sess. and RCW 46.44.040; amending section 2, chapter 137, Laws of 1965 as last amended by section 3, chapter 1, Laws of 1973 ex. sess. and RCW 46.44.0941; and adding a new section to chapter 46.44 RCW.

To Committee on Transportation and Utilities.

REENGROSSED SENATE BILL NO. 2584, by Senators Odegaard and Talley:

AN ACT Relating to diking districts; and amending section 41, chapter 117, Laws of 1895 as last amended by section 1, chapter 30, Laws of 1951 and RCW 85.05.410.

To Committee on Local Government.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2634, by Committee on Local Government (Originally sponsored by Senators Clarke, Guess and Fleming - by Executive request):

AN ACT Relating to buildings; and adding a new chapter to Title 19 RCW.

To Committee on State Government.

REENGROSSED SENATE BILL NO. 2669, by Senators Van Hollebeke, Marsh, Gardner, Whetzel, Greive and Knoblauch:

AN ACT Relating to unemployment compensation; adding a new section to chapter 35, Laws of 1945 and to chapter 50.36 RCW; and prescribing penalties.

To Committee on Labor.

ENGROSSED SENATE BILL NO. 2939, by Committee on Natural Resources (Endorsed by Senators Peterson [Lowell], Metcalf, Sandison, Peterson [Ted], Lewis [Harry] and Talley):

AN ACT Relating to food fish buyers and processors and fishermen; adding new sections to chapter 75.28 RCW; and providing a two-year statute of limitations for violation of chapter 75.28 RCW.

To Committee on Natural Resources.

ENGROSSED SENATE BILL NO. 3002, by Senators Walgren, Talley, Day, Metcalf and Jones:

AN ACT Relating ,to state government; authorizing the purchase of products and/or services from sheltered workshops and programs of the department of social and health services which operate rehabilitation facilities serving the handicapped and disadvantaged; and adding new sections to chapter 43.19 RCW.

To Committee on Social and Health Services.

SENATE BILL NO. 3016, by Senator Atwood:

AN ACT Relating to motor vehicles; and amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 1, chapter 284, Laws of 1971 ex. sess. and RCW 46.61.515.

To Committee on Judiciary.

SENATE BILL NO. 3022, by Senators Donohue, Henry and Twigg (by Department of Motor Vehicle request):

AN ACT Relating to motor vehicles; amending section 46.12.060, chapter 12, Laws of 1961 and RCW 46.12.060; and providing an effective date.

To Committee on Transportation and Utilities.

ENGROSSED SENATE BILL NO. 3023, by Senators Guess, Jolly and Donohue:

AN ACT Relating to irrigation; and adding a new section to chapter 43.21C RCW.

To Committee on Ecology.

ENGROSSED SENATE BILL NO. 3024, by Senators Marsh and Francis:

AN ACT Relating to domestic relations; defining crimes; adding a new section to chapter 26.09 RCW; and prescribing penalties.

To Committee on Judiciary.

SENATE BILL NO. 3029, by Senators Marsh and Francis:

AN ACT Relating to domestic relations; adding new sections to chapter 157, Laws of 1973 1st ex. sess. and to chapter 26.09 RCW; and declaring an emergency.

To Committee on Judiciary.

SUBSTITUTE SENATE BILL NO. 3032, by Committee on Education (Originally sponsored by Senator von Reichbauer):

AN ACT Relating to school districts; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

To Committee on Education.

SENATE BILL NO. 3037, by Senator Walgren:

AN ACT Relating to the Washington state ferry system; and adding a new section to chapter 47.56 RCW.

To Committee on Transportation and Utilities.

SENATE BILL NO. 3050, by Senator Woody:

AN ACT Relating to shoreline management; amending section 8, chapter 286, Laws of 1971 ex. sess. and RCW 90.58.080; and declaring an emergency.

To Committee on Ecology.

ENGROSSED SENATE BILL NO. 3051, by Senators Rasmussen, Day and Guess (by Lieutenant Governor request):

AN ACT Relating to the state capitol committee; requiring that the committee approve state agency contracts for professional consulting services; adding a new section to chapter 43.34 RCW; and declaring an emergency.

To Committee on State Government.

SENATE BILL NO. 3075, by Senators Peterson (Ted), Knoblauch and Rasmussen:

AN ACT Relating to veterans' estates; and amending section 1, chapter 4, Laws of 1972 ex. sess. and RCW 73.04.130.

To Committee on Social and Health Services.

SENATE BILL NO. 3079, by Committee on Agriculture (Endorsed by Senators Jolly, Sellar, Matson, Day, Donohue and Washington):

AN ACT Relating to estrays; amending section 1, chapter 31, Laws of 1951 and RCW 16.13.010; amending section 2, chapter 31, Laws of 1951 and RCW 16.13.020; amending section 3, chapter 31, Laws of 1951 and RCW 16.13.030; amending section 4, chapter 31, Laws of 1951 and RCW 16.13.040; amending section 6, chapter 31, Laws of 1951 and RCW 16.13.060; repealing section 2, chapter 22, Laws of 1957 and RCW 16.28.010; repealing section 1,



chapter 23, Laws of 1905 and RCW 16.28.020; repealing section 2, chapter 23, Laws of 1905 and RCW 16.28.030; repealing section 3, chapter 22, Laws of 1957 and RCW 16.28.040; repealing section 13, chapter 23, Laws of 1905 and RCW 16.28.050; repealing section 4, chapter 23, Laws of 1905, section 1, chapter 31, Laws of 1943 and RCW 16.28.060; repealing section 5, chapter 23, Laws of 1905, section 2, chapter 148, Laws of 1919, section 1, chapter 122, Laws of 1925 ex. sess. and RCW 16.28.070; repealing section 7, chapter 23, Laws of 1905 and RCW 16.28.080; repealing section 8, chapter 23, Laws of 1905 and RCW 16.28.085; repealing section 9, chapter 23, Laws of 1905, section 1, chapter 123, Laws of 1909 and RCW 16.28.090; repealing section 10, chapter 23, Laws of 1905 and RCW 16.28.100; repealing section 14, chapter 23, Laws of 1905 and RCW 16.28.110; repealing section 11, chapter 23, Laws of 1905, section 2, chapter 123, Laws of 1909 and RCW 16.28.120; repealing section 12, chapter 23, Laws of 1905 and RCW 16.28.130; repealing section 6, chapter 23, Laws of 1905 and RCW 16.28.140; repealing section 15, chapter 23, Laws of 1905 and RCW 16.28.150; repealing section 2537, Code of 1881, section 14, chapter 199, Laws of 1969 ex. sess. and RCW 16.28.160; repealing section 1, chapter 12, Laws of 1891 and RCW 16.28.165; and repealing section 2, chapter 12, Laws of 1891 and RCW 16.28.170.

To Committee on Agriculture.

SENATE BILL NO. 3080, by Committee on Agriculture (Endorsed by Senators Jolly, Sellar, Donohue, Day, Washington and Matson):

AN ACT Relating to livestock brands; amending section 4, chapter 54, Laws of 1959 and RCW 16.57.040; amending section 8, chapter 54, Laws of 1959 as last amended by section 2, chapter 135, Laws of 1971 ex. sess. and RCW 16.57.080; amending section 9, chapter 54, Laws of 1959 as amended by section 2, chapter 66, Laws of 1965 and RCW 16.57.090; amending section 14, chapter 54, Laws of 1959 and RCW 16.57.140; amending section 15, chapter 54, Laws of 1959 and RCW 16.57.150; adding a new section to chapter 54, Laws of 1959 and to chapter 16.57 RCW; and declaring an emergency.

To Committee on Agriculture.

SUBSTITUTE SENATE BILL NO. 3106, by Committee on Transportation and Utilities (Originally sponsored by Senators Walgren, Wanamaker, Sellar, Lewis [Bob], Knoblauch, Washington, Guess, Peterson [Lowell], Bottiger, Jolly, Henry and Keefe):

AN ACT Relating to the regulation of speeds of motor vehicles; amending section 2, chapter 16, Laws of 1963 as last amended by section 2, chapter 100, Laws of 1970

ex. sess. and RCW 46.61.405; amending section 3, chapter 16, Laws of 1963 as last amended by section 1, chapter 100, Laws of 1970 ex. sess. and RCW 46.61.410; amending section 4, chapter 16, Laws of 1963 and RCW 46.61.415; amending section 46.48.041, chapter 12, Laws of 1961 and RCW 46.61.430; and declaring an emergency.

To Committee on Transportation and Utilities.

ENGROSSED SENATE BILL NO. 3122, by Senator Twigg:

AN ACT Relating to licenses for the sale of alcoholic beverages; amending section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 10, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.24.010; and declaring an emergency.

To Committee on State Government.

SENATE BILL NO. 3130, by Senator Walgren:

AN ACT Relating to the Clearcreek interchange; making an appropriation; creating new sections; and declaring an emergency.

To Committee on Transportation and Utilities.

SENATE BILL NO. 3144, by Senators Peterson (Lowell), Peterson (Ted) and Talley:

AN ACT Relating to fish and wildlife losses; and amending section 77.12.320, chapter 36, Laws of 1955 and RCW 77.12.320.

To Committee on Natural Resources.

SENATE BILL NO. 3159, by Senators Sandison and Scott (by Superintendent of Public Instruction request):

AN ACT Relating to higher education; amending section 28B.10.215, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.215; amending section 28B.10.220, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.220; and amending section 28B.10.255, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.255.

To Committee on Higher Education.

ENGROSSED SENATE BILL NO. 3168, by Senators Washington and Murray:

AN ACT Relating to the pollution control hearings board; amending section 39, chapter 62, Laws of 1970 ex. sess. and RCW 43.21B.090; amending section 45, chapter 62,

Laws of 1970 ex. sess. and RCW 43.21B.150; amending section 46, chapter 62, Laws of 1970 ex. sess. and RCW 43.21B.160; amending section 34, chapter 238, Laws of 1967 as last amended by section 57, chapter 62, Laws of 1970 ex. sess. and RCW 70.94.211; adding a new section to chapter 62, Laws of 1970 ex. sess. and to chapter 43.21B RCW; and repealing section 51, chapter 62, Laws of 1970 ex. sess. and RCW 43.21B.210.

To Committee on Ecology.

SENATE BILL NO. 3184. by Senators Connor, Murray and Fleming:

AN ACT Relating to public employment; adding a new section to chapter 41.18 RCW; and adding a new section to chapter 41.20 RCW.

To Committee on Local Government.

ENGROSSED SENATE BILL NO. 3284. by Committee on Natural Resources (Endorsed by Senators Peterson [Lowell], Peterson [Ted], Metcalf, Talley, Sandison, Lewis [Harry] and Rasmussen):

AN ACT Relating to food fish and shellfish; and amending section 75.12.130, chapter 12, Laws of 1955 as last amended by section 2, chapter 16, Laws of 1969 ex. sess. and RCW 75.12.130.

To Committee on Natural Resources.

SENATE BILL NO. 3285. by Committee on Natural Resources (Endorsed by Senators Peterson [Lowell], Peterson [Ted], Metcalf, Talley, Sandison, Lewis [Harry] and Rasmussen):

AN ACT Relating to the disposition of moneys from the sale of certain food fish or shellfish; and amending section 75.08.230, chapter 12, Laws of 1955 as last amended by section 31, chapter 199, Laws of 1969 ex. sess. and RCW 75.08.230.

To Committee on Natural Resources.

SENATE JOINT MEMORIAL NO. 106. by Senators Donohue and Walgren:

Providing for a second bridge across the Snake River funded with federal money.

To Committee on Transportation and Utilities.

ENGROSSED SENATE JOINT MEMORIAL NO. 134, by Senators Talley and Peterson (Lowell):

Requesting the federal government to protect the Washington state fisheries resources.

To Committee on Natural Resources.

MOTION

On motion of Mr. Thompson, all bills and memorials listed on the supplemental introduction sheet on fourth order of business were referred to the committees designated.

REPORTS OF STANDING COMMITTEES

January 29, 1974

HOUSE BILL NO. 393, Prime sponsor: Representative Bagnariol, allows a corporation to sue or be sued in its corporate name, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 10 strike all of section 1 and insert the following:

"The supervisor of banking shall collect in advance the following fees:

For filing application for certificate of authority and attendant investigation as required by the law, the cost thereof, but not less than..... ~~(\$400.00)~~ \$200.00

(If the cost of such attendant examination shall exceed ~~(\$400.00)~~ \$200.00, the applicant shall pay such excess when ascertained by the supervisor of banking.)

For filing articles of incorporation, or amendments thereof, or other certificates required to be filed in his office..... 10.00

For issuing a certificate of increase or decrease of capital stock. .... 10.00

For issuing each certificate of authority. . 10.00

For furnishing copies of papers filed in his office, per folio. .... ~~(.20)~~ .25

For filing merger agreement and attendant investigation. .... \$100.00

For filing application to relocate main office or branch and attendant investigation. .... \$100.00

Every industrial loan company shall also pay to the secretary of state or county auditor for filing any instrument with him the same fees as are required of general corporations for filing corresponding instruments, and also the same license fees as are required of general corporations."

Signed by Representatives Ceccarelli, Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Matthews, Pardini, Parker, Polk, Van Dyk.

January 29, 1974

HOUSE BILL NO. 1181, Prime sponsor: Representative Luders, providing for the sale of certain second class shorelands, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, following subsection (d) add a new subsection as follows:

"(e) Waterways as described in RCW 79.01.428."

On page 3, section 4, line 30 after "department" strike "and all other" and insert ", all owners of property fronting upon the lake, and all"

On page 4, section 4, line 13 after "RCW" insert "if a hearing is requested within thirty days from the receipt of notice"

On page 5, section 4, line 13 before "contract" strike "the" and insert "such"

On page 5, section 5, beginning on line 27 after "with" strike all the material down to and including "(3)" in line 28 and insert "the notice required by section 4(1)(a)"

On page 6, section 7, line 23 after "RCW" insert "if a hearing is requested within thirty days from the receipt of notice"

Signed by Representatives Bausch, Vice Chairman; Clemente, Hansen, Haussler, Kalich, Kilbury, Kishimoto, Schumaker.

January 29, 1974

HOUSE BILL NO. 1233, Prime sponsor: Representative Sommers, authorizing tax refunds based on assessed value reductions and prohibiting refunds of less than two dollars, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 17 after "less than" strike "two dollars" and insert "one dollar"

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Brown, Erickson, Goltz, Hurley, King, Moon, Williams.

January 29, 1974

HOUSE BILL NO. 1268, Prime sponsor: Representative Randall, exempting school districts from having to contract for services from fire protection districts, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Brown, Erickson, Goltz, Hurley, King, Kuehnle, Williams.

January 28, 1974

HOUSE BILL NO. 1292, Prime sponsor: Representative Kopet, abolishing war veterans' funds when no obligations remain payable therefrom, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, beginning on line 6 strike all the matter down to and including "thereto, there" on line 13 and insert the following:

"((For the purpose of creating the fund for the retirement of such bonds upon maturity and the payment of interest thereon as it falls due; all proceeds hereafter received from the excise tax on cigarettes imposed by chapter 82-24 as now or hereafter amended; shall; so long as any part of principal or interest of the bonds herein provided for remains outstanding; be paid into the war veterans' compensation bond retirement fund hereinafter provided for;

In addition thereto;)) There"

On page 1, section 1, beginning on line 26, after "credited to" strike all the matter down to and including "thereof." on page 2, line 3, and insert "((a special trust fund to be known as the war veterans' compensation bond retirement fund; which shall be kept segregated from all money in the state treasury and shall; while any of the bonds herein authorized or any interest thereon remain unpaid; be available solely for the payment thereof)) the state general fund."

On page 2, section 1, beginning on line 4, strike all the matter down to and including "thereafter" on line 15 and insert the following:

"((Whenever the receipts into the war veterans' compensation bond retirement fund during any year exceed the annual amounts required for debt service; the balance shall be transferred by the state treasurer to the state general fund; and whenever there has accumulated in the war veterans' compensation bond retirement fund a sum in excess of the amount required in any year; as determined by the state finance committee; to meet obligations during that year for bond retirement and interest; the state treasurer shall transfer from such fund to the state general fund all money in excess of such amount:

When all bonds herein authorized and all interest thereon have been fully paid;)) All proceeds ((thereafter))"

On page 2, section 1, beginning on line 31, after "charge" strike all the matter down to and including "issued," on line 33 and insert "((subject only to amounts previously pledged for the payment of interest on and retirement of bonds heretofore issued;))"

Signed by Representatives Shipoch, Chairman; North (Frances), Vice Chairwoman; Amen, Bagnariol, Blair, Charette, Curtis, Hansey, Kopet, North (Lois), Polk, Valle, Van Dyk, Zimmerman.

January 29, 1974

HOUSE BILL NO. 1328, Prime sponsor: Representative Douthwaite, providing means for port districts to undertake abatement of airport noise, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 23 after "runaway" insert ": PROVIDED FURTHER, That the area within 2500 feet of the center of the end point of any runway may be included"

On page 2, section 3, line 1 after "acquisition" strike all of the matter down to and including "area" on line 3 and insert "of property or property rights within the impacted area, which shall be deemed necessary to accomplish a port purpose"

On page 2, section 3, line 4 after "payment" insert "notwithstanding the time limitations provided for in RCW 53.08.010"

On page 2, section 3, immediately following line 32 insert the following:

"(5) A property shall be considered within the impacted area if any part thereof is within the impacted area."

On page 3, section 4, line 8 after "property" strike "of" and insert "in"

On page 3, section 4, line 11 beginning with "nothing" strike all of the matter down to and including "issue" on line 13 and insert "any such general obligation bond issue may be subject to referendum by petition as provided by county charter, the same as if it were a county ordinance"

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Honan, Kishimoto, Laughlin, North (Frances), Patterson, Zimmerman.

January 30, 1974

HOUSE BILL NO. 1469, Prime sponsor: Representative North (Frances), preventing cruelty to animals, reported by Committee on Local Government.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Adams, Blair, Honan, Kishimoto, Laughlin, McCormick, North (Frances), Patterson, Sommers, Zimmerman.

January 29, 1974

HOUSE BILL NO. 1520, Prime sponsor: Representative Conner, revising the usury laws with respect to business borrowing, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 16 after "than" strike "five" and insert "fifty"

On page 1, section 1, beginning on line 18 after "purposes" insert a period and strike the remainder of the section

Signed by Representatives Blair, Eikenberry, Leckenby, Matthews, Pardini, Parker, Polk, Van Dyk.

MINORITY recommendation: Do not pass. Signed by Representatives Ceccarelli, Chairman; Bagnariol.

#### MOTION

On motion of Mr. Charette, all bills listed on the standing committee reports under the fourth order of business were referred to the Committee on Rules for second reading.

#### SECOND READING

HOUSE BILL NO. 1341, by Committee on Labor (Originally sponsored by Representatives King, Morrison, Charette, Savage, Beck and Bausch):

Providing for an educational employment relations act.

The bill was read the second time.

On motion of Mr. King, Substitute House Bill No. 1341 was substituted for House Bill No. 1341, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1341 was read the second time.

Mr. Kuehnle moved adoption of the following amendment:

On page 2, lines 25 and 26, and on lines 29 and 30 strike "and other matters of mutual concern relating thereto"

Representatives Kuehnle and Eikenberry spoke in favor of the amendment, and Representatives King and Flanagan spoke against it.

Mr. Conner demanded an electric roll call and the demand was sustained.

Mr. Kuehnle spoke again in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to page 2 of Substitute House Bill No. 1341, and the amendment was not adopted by the following vote: Yeas, 43; nays, 54; not voting, 1.

Voting yea: Representatives Amen, Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Erickson, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Honan, Juelling,



Julin, Kishimoto, Kraabel, Kuehnle, Leckenby, Matthews, May, Morrison, Nelson, Newhouse, North L., Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Sommers, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Moon, North F., O'Brien, Pardini, Perry, Randall, Savage, Shinpoch, Smith, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Kopet.

Mr. Kuehnle moved adoption of the following amendment:  
On page 5, lines 2 and 3 strike "to reach agreement"  
and insert "with the objective of reaching agreement"

Mr. Kuehnle spoke in favor of the amendment, and Mr. King spoke against it.

Mr. Conner demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to page 5 of Substitute House Bill No. 1341, and the amendment was lost by the following vote: Yeas, 33; nays, 62; not voting, 3.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Jueling, Julin, Kishimoto, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, Paris, Polk, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Smith, Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Kopet, Shinpoch, Van Dyk.

Mr. Kuehnle moved adoption of the following amendment:

On page 5, strike lines 18 through 27, subsections (10) and (11)

Mr. Kuehnle spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. King.

Mr. King: "Would you repeat again the reason you said these definitions are no longer needed?"

Mr. Kuehnle: "As I read this bill and compare it with the original bill, we have taken out the language about labor disputes and agents and therefore, we do not need the definitions any longer in the substitute bill."

Mr. King spoke against the amendment, and Mr. Kuehnle spoke again in favor of it.

The amendment was not adopted.

Mr. Kuehnle moved adoption of the following amendment: On page 5, line 27 insert a new subsection as follows: "(12) The term 'days' shall mean calendar days."

Mr. Kuehnle spoke in favor of the amendment, and Mr. King spoke against it.

The amendment was not adopted.

Mr. Freeman moved adoption of the following amendment by Representatives Freeman, Tilly and Patterson: On page 2, section 2, line 17 after "school districts" strike "and community college districts"

Mr. Freeman spoke in favor of the amendment.

Mr. Conner demanded an electric roll call and the demand was sustained.

Representatives Patterson, Flanagan, Tilly, Curtis and Kraabel spoke in favor of the amendment, and Representatives Perry and King spoke against it.

## POINT OF INQUIRY

Mr. Savage yielded to question by Mr. Patterson.

Mr. Patterson: "Representative Savage, do you have any bills in your committee that deal with collective bargaining for units of higher education?"

Mr. Savage: "Yes."

Mr. Patterson: "Has the committee taken a look at these bills at all?"

Mr. Savage: "Yes, we have appointed a subcommittee with Representative King as chairman. They looked at all of them at the same time and this was the one that came out of it."

Mr. Patterson: "Was there any discussion at the time you were discussing this particular measure as to whether or not community colleges should not be considered as being included in some of the bills that you have dealing with the four-year institutions?"

Mr. Savage: "We held a hearing in the whole committee when the committee reported back and both the community college people and the AFB and the WEA showed more unity for this bill than I have ever seen before. They were in full agreement, so we felt that as far as any division was concerned, it wasn't shown at all. In the past we have never seen them agree like this."

Mr. Patterson spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Freeman, Tilly and Patterson to Substitute House Bill No. 1341, and the amendment was adopted by the following vote: Yeas, 49; nays, 46; not voting, 3.

Voting yea: Representatives Amen, Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Eikenberry, Erickson, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Honan, Juelling, Julin, Kishimoto, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch, Tilly, Van Dyk, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Ceccarelli, Charette, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Fortson, Gallagher, Gaspard, Goltz, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, O'Brien, Perry, Savage, Smith, Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bausch, Chatalas, Kopet.

#### MOTION

Mr. Van Dyk, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment was adopted.

Mr. King spoke in favor of the motion.

Mr. Conner demanded an electric roll call, and the demand was sustained.

Mr. Newhouse spoke against the motion to reconsider.

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

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Kopet.

Mr. Charette moved to excuse the absent member and proceed with business under the Call of the House.

Representative Pardini spoke against the motion to excuse.

Mr. Charette spoke in favor of the motion and Representatives Curtis and Pardini spoke against it.

Mr. Savage spoke in favor of the motion to excuse the absent member.

The motion to excuse the absent member was carried on a rising vote.

## MOTION

Mr. Van Dyk, having voted on the prevailing side, moved that the House do now reconsider the vote by which the amendment to page 2 of Substitute House Bill No. 1341 by Representatives Freeman, Tilly and Patterson was adopted by the House.

Representatives Douthwaite and King spoke in favor of the motion, and Representatives Blair, Zimmerman and Matthews spoke against it.

Mr. Pardini spoke against the motion to reconsider.

## POINT OF ORDER

Mr. King: "The implication of the speaker is that there are only special interests, and in addition to that, if you will check the record, there was only one member of his political party who voted against the position that they seem to hold."

The Speaker: "I hope we can keep this debate strictly on the merits of the bill rather than any political implications or personalities involved. Representative Pardini, you may proceed."

Mr. Pardini continued his remarks against the motion to reconsider the vote by which the amendment was adopted.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Van Dyk to reconsider the vote by which the amendment by Representatives Freeman, Tilly and Patterson to Substitute House Bill No. 1341 was adopted, and the motion was carried by the following vote: Yeas, 54; nays, 43; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Juelling, Julin, Kishimoto, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Shipoch, Tilly, Wilson, Zimmerman.

Not voting: Representative Kopet.

The Speaker stated the question before the House was reconsideration of the amendment to Substitute House Bill No. 1341 by Representatives Freeman, Tilly and Patterson.

Mr. Charette demanded an electric roll call and the demand was sustained.

Representatives Patterson and Leckenby spoke in favor of the amendment, and Representatives King and Savage spoke against it.

ROLL CALL

The Clerk called the roll on the reconsideration of the amendment by Representatives Freeman, Tilly and Patterson to page 2 of Substitute House Bill No. 1341, and the amendment was not adopted by the following vote: Yeas, 41; nays, 56; not voting, 1.

Voting yea: Representatives Amen, Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hayner, Hendricks, Honan, Juelling, Julin, Kishimoto, Kraabel, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Kopet.

## STATEMENT FOR THE JOURNAL

May the record show that my nay vote on the reconsideration of the Freeman, Tilly and Patterson amendment to Substitute House Bill No. 1341, to remove community college personnel from the act, should have been a "yes" vote. The Speaker closed the voting machine before he offered the members the opportunity to change their votes, which I intended to do before the machine was closed.

JAMES P. KUEHNLE, 4th District.

## MOTION

Mr. Kuehnle moved adoption of the following amendment:  
On page 3, lines 10 and 11 strike "participates in the development, implementation or evaluation of an educational program, or is otherwise involved in the teaching-learning process,"

Mr. Kuehnle spoke in favor of the amendment, and Mr. King spoke against it.

Mr. Van Dyk demanded an electric roll call and the demand was sustained.

Mr. Kuehnle spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to page 3 of Substitute House Bill No. 1341, and the amendment was lost by the following vote: Yeas, 35; nays, 62; not voting, 1.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Honan, Juelling, Julin, Kishimoto, Kraabel, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Rabel, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, North F., North L., O'Brien, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kopet.

Mr. Kuehnle moved adoption of the following amendment:  
On page 3, line 15 after "positions" strike "and" and insert a new subsection as follows:

"(c) supervisors as defined in subsection (6) of this section; and"

Reletter the remaining subsections accordingly.

Mr. Kuehnle spoke in favor of the amendment, and Mr. King spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Mr. Kuehnle:  
On page 3, strike lines 18 through 21

With the consent of the House, Mr. Kuehnle withdrew his amendment.

Mr. Kuehnle moved adoption of the following amendment:  
On page 4, lines 10 and 21 strike "consistent exercise of independent" and insert "exercise of"

Representatives Kuehnle and Douthwaite spoke in favor of the amendment, and Mr. King spoke against it.

The amendment was lost on a rising vote.

Mr. Eikenberry moved adoption of the following amendment by Representatives Eikenberry and Barnes:

On page 5, section 3, line 7 after "bargain" insert "shall not include the objectives, goals and broad educational policies of the local school district board or community college board; otherwise the duty to bargain"

Mr. Eikenberry spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Eikenberry yielded to question by Mr. King.

Mr. King: "Representative Eikenberry, could you give us some examples of what you are talking about--something that teacher groups might want to bargain that was an objective goal, or a broad educational policy that you think ought not to be bargained?"

Mr. Eikenberry: "Yes, thank you for the opportunity to give you that example, Representative King. I would think that, for example, if a school board were elected and the nature of the campaign were such that they received a clear mandate that they should not cross-bus students for the sole and only purpose of mixing up races, that should be a determination made by the school board and not the subject of collective bargaining process."

Mr. King spoke against the amendment.

Mr. Conner demanded an electric roll call and the demand was sustained.

## POINT OF INQUIRY

Mr. King yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative King, I would like to turn that question around and ask you to give me an example of any decision that school boards or school administration could make without being subject to bargaining."

Mr. King: "The bargaining would extend to everything. The real issue, under this act, is everything that is mutual would affect both the board and the teachers. The question is whether or not any particular decision is mandated or not, and the answer to that is that school boards are required to set wages, hire, fire--there is a long list of things that are spelled out in the law which the school board has to do by a certain time. This act would say you have to bargain about it, but in those things which are spelled out that they have to do they have the final decision. They do it with no recourse. If it is not spelled out in the law this is something that is the duty of a board, school board or community college board, then the way the bill is written now, they would have to continue bargaining until they come to a conclusion. So I guess the answer to your question is that the things they wouldn't have to bargain about would be those things that did not have an impact on the teachers and the employees of the school district in any way."

Mr. Flanagan: "Can you describe any conditions that you mentioned?"

Mr. King: "For example, when they hold a meeting."

Mr. Flanagan: "In other words, they could decide when they were going to hold a meeting without being subject to negotiations?"

Mr. King: "Yes, I would think so, and also anything that wouldn't have a direct mutual impact on the employees of the school district. There are other things--areas that impact other employees of the school district--which could be bargained separately. They are now--how much money is paid for janitors, how much money is paid to supervisors under this act (if the supervisors choose to go out of it, it would be a separate thing from what the teachers are involved in bargaining) how much money is paid the Superintendent of Public Instruction for the district--I suppose you could go on and list most of the things that are procedural and managerial in their impact. I think the key issue that people should understand in response to this question is that simply because you bargain about something doesn't mean that you have to come to an agreement. There is a proviso in this law that says that you will not be compelled to make concessions or to come to an agreement by the provisions of this act."



Mr. Flanagan: "Then we can say the salaries paid to supervisors or classified employees will not be subject to negotiations?"

Mr. King: "They may very well be subject to negotiations under a different act, but not by this act."

POINT OF INQUIRY

Mr. King yielded to question by Mr. Cunningham.

Mr. Cunningham: "Representative King, it is the answer to your last question that brings me up. You were asked the things that could not be bargainable and you stated, I believe, that this still basically concerns itself with the school board and the teachers. I would like to get in the record that this bill will have some impact on the students and that they will have some say in what this bill will do to them. Is that true?"

Mr. King: "This bill deals with employee-employer relations. The extent to which students are impacted by decisions made in that relationship would, the way the bill is written at the present time, be directed by agreement between the two parties. Students have open access to the board at the present time under existing law in the same manner as any other citizen does, in order to come in and express their concerns about something. On the other side, there is no group of people that is closer to students and to what students want and what they think, in my opinion, than the teachers. That's what they are there for. They have decided that teaching is an important thing to them and they deal with students every day. So you have on both sides a great deal of student input in this bill--certainly no less than you would have under existing law."

Representatives Hoggins and Barnes spoke in favor of the amendment, and Representatives Randall and King spoke in opposition to it.

ROLL CALL

The Clerk called the roll on the amendment by Representatives Eikenberry and Barnes to Substitute House Bill No. 1341, and the amendment was adopted by the following vote: Yeas, 91; nays, 6; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Clemente, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch,

Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Charnley, Chatalas, Conner, Douthwaite, Savage.

Not voting: Representative Kopet.

Mr. Kuehnle moved adoption of the following amendment:  
On page 7, section 5, line 13 after "activities," insert "including the strike or withholding of services"

Mr. Kuehnle spoke in favor of the amendment, and Mr. Perry spoke against it.

#### POINT OF ORDER

Mr. Polk: "Mr. Speaker, Representative Perry is clearly talking about other subjects--he is talking about tax bills and other things that Representative Kuehnle has spoken on before."

The Speaker: "Representative Perry, would you confine your remarks to the issue before us, please?"

Mr. Perry continued his remarks in opposition to the amendment.

Mr. Curtis demanded an electric roll call and the demand was sustained.

Mr. Savage spoke against the amendment.

#### POINT OF ORDER

Mr. Eikenberry: "Mr. Speaker, the present speaker is impugning the motives of a member and that is not the proper argument on the amendment."

The Speaker: "I think your point is well taken. All you have to do is ask the question--how is he going to vote. Representative Savage, do you have any further remarks?"

Mr. Savage continued his remarks against the amendment.

#### POINT OF INQUIRY

Mr. Thompson: "Would Representative Kuehnle please yield to question?"

Mr. Kuehnle refused to yield to question.

Mr. Cunningham: "Would Representative King yield to question?"

Mr. King refused to yield to question.

Mr. Cunningham: "Would Representative Charette please yield to question?"

Mr. Charette refused to yield to question.

Mr. Cunningham: "Would Representative Goltz yield to question, please?"

Mr. Goltz yielded to question by Mr. Cunningham.

Mr. Cunningham: "Representative Goltz, this is not in jest, this is a serious amendment. What I would like to know is, in your opinion, does the bill as it now stands without this amendment, authorize strikes or withholding of services?"

Mr. Goltz: "No, I don't think so."

Mr. Perry spoke against the amendment.

Mr. Kopet appeared at the bar of the House.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to page 7 of Substitute House Bill No. 1341, and the amendment was not adopted by the following vote: Yeas, 0; nays, 98; not voting, 0.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Mr. King moved adoption of the following amendment:

On page 7, section 5, line 13 after "activities," insert "not including the strike or withholding of services"

Mr. King spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Julin.

Mr. Julin: "Representative Kuehnle, I notice that on the vote on the last amendment that you joined with all of the other members of the body in voting no on your own amendment. There was some indication by some of the speakers that you had some motive behind this and I would

like to know if you can tell me what your motive was in proposing this amendment?"

Mr. Kuehnle: "Thank you, Representative Julin, for asking that question. I..."

POINT OF ORDER

Mr. Perry: "The question is not relative as to what his motive was. The matter has been defeated and we now have another question before us. It is not a subject for discussion at this time."

The Speaker: "Your point is well taken."

Mr. Pardini demanded an electric roll call and the demand was sustained.

At the request of Mr. Kraabel, the Clerk reread the amendment.

POINT OF ORDER

Mr. Julin: "The vote on the prior amendment is determinative and this amendment is not in order because the vote on this one will have the exact significance as it did on the prior Kuehnle amendment."

RULING BY THE SPEAKER

The Speaker: "Representative Julin, your point is not well taken because there is a difference between a positive statement 'you may not' and leaving the matter open. I rule the point of order is out of order."

ROLL CALL

The Clerk called the roll on the amendment by Mr. King to page 7 of Substitute House Bill No. 1341, and the amendment was not adopted by the following vote: Yeas, 43; nays, 55; not voting, 0.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Douthwaite, Eikenberry, Erickson, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Honan, Hurley, Jueling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Nelson, Newhouse, North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Sommers, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, North F., O'Brien, Perry, Randall, Savage, Shinpoch, Smith, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Mr. Morrison moved adoption of the following amendment:  
On page 7, section 5, line 13 after "own choosing"  
strike "and to engage in other activities, individually or  
in concert,"

Mr. Morrison spoke in favor of the amendment, and Mr.  
Perry spoke against it.

Mr. Conner demanded an electric roll call and the  
demand was sustained.

Mr. Morrison spoke again in favor of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the  
amendment by Mr. Morrison to page 7 of Substitute House  
Bill No. 1341, and the amendment was not adopted by the  
following vote: Yeas, 41; nays, 57; not voting, 0.

Voting yea: Representatives Amen, Barnes, Benitz,  
Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry,  
Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansen,  
Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jueling,  
Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby,  
Matthews, Morrison, Nelson, Newhouse, North L., Pardini,  
Paris, Patterson, Polk, Rabel, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson,  
Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli,  
Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite,  
Ehlers, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard,  
Goltz, Haussler, Jastad, Johnson, Kalich, Kelley, Kilbury,  
King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie,  
May, McCormick, Moon, North F., O'Brien, Parker, Perry,  
Pullen, Randall, Savage, Shinpoch, Smith, Sommers,  
Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn,  
Zimmerman, and Mr. Speaker.

Mr. Morrison moved adoption of the following amendment:  
On page 8, section 5, line 5 after "determine" and  
before "whether to" strike "by a majority of those voting"

Mr. Morrison spoke in favor of the amendment, and Mr.  
King spoke against it.

The amendment was not adopted.

Mr. Kuehnle moved adoption of the following amendment:  
On page 13, section 6, line 10 after "a" strike down to  
and including "cast" on line 11 and on line 12 after  
"section" insert "such a number of valid ballots as is  
equal to a number which represents a majority of the  
certificated employees of the district"

Mr. Kuehnle spoke in favor of the amendment.

Mr. Conner demanded an electric roll call and the  
demand was sustained.

Mr. King spoke against the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment to page 13 of Substitute House Bill No. 1341 by Representative Kuehnle, and the amendment was not adopted by the following vote: Yeas, 36; nays, 62; not voting, 0.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Jueling, Julin, Kishimoto, Kopet, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North P., O'Brien, Parker, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Mr. Cunningham moved adoption of the following amendment:

On page 14, section 7, line 27 after "acceptable" and before the period insert ": PROVIDED, That the mediation expenses shall be borne by the party declaring the impasse"

Mr. Lysen moved adoption of the following amendment to the Cunningham amendment:

In line 2 of the amendment strike "by the party declaring the impasse" and insert "equally by the parties"

Mr. Lysen spoke in favor of the amendment to the amendment, and Mr. Cunningham spoke against it.

Mr. King spoke against the amendment to the amendment.

Mr. Conner demanded an electric roll call and the demand was sustained.

Mr. Lysen spoke again in favor of his amendment to the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Lysen to the amendment by Representative Cunningham to page 14 of Substitute House Bill No. 1341, and the amendment to the amendment was not adopted by the following vote: Yeas, 37; nays, 61; not voting, 0.

Voting yea: Representatives Amen, Bagnariol, Barnes, Blair, Charette, Charnley, Douthwaite, Ehlers, Ellis, Eng, Erickson, Gaines, Gaspard, Goltz, Honan, Hurley, Johnson, Julin, Kraabel, Lysen, Matthews, Maxie, Moon, Nelson, North

L., Pardini, Paris, Parker, Patterson, Randall, Shinpoch, Sommers, Thompson, Valle, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Adams, Anderson, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Chatalas, Clemente, Conner, Cunningham, Curtis, Eikenberry, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Juelling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Martinis, May, McCormick, Morrison, Newhouse, North F., O'Brien, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Smith, Tilly, Van Dyk, Warnke, Wojahn, Zimmerman.

Mr. Cunningham spoke in favor of his amendment.

Mr. Conner demanded an electric roll call and the demand was sustained.

Representatives Charette, Savage, Kraabel, Hoggins and Lysen spoke against the amendment.

Mr. Cunningham spoke again in favor of his amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Cunningham to Substitute House Bill No. 1341, and the amendment was not adopted by the following vote: Yeas, 15; nays, 83; not voting, 0.

Voting yea: Representatives Barnes, Bausch, Cunningham, Douthwaite, Gilleland, Hendricks, Honan, Kishimoto, Kuehnle, Polk, Pullen, Rabel, Schumaker, Shinpoch, Warnke.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Pardini, Paris, Parker, Patterson, Perry, Randall, Savage, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Mr. Morrison moved adoption of the following amendment by Representatives Morrison and King:

On page 15, section 7, line 19 after "only," strike down to and including "binding" on line 22

Mr. Morrison spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Morrison yielded to question by Mr. Charnley.

Mr. Charnley: "Thank you, Representative Morrison, would you make a statement for the record on the situation if both parties wish binding legislation or binding arbitration?"

Mr. Morrison: "Within the bill there are very liberal provisions allowing for agreement between the two parties. In fact, I think there are 260 some school districts throughout the state that have already resolved the procedure they are going to follow in collective bargaining. This allows that any sort of decision reached mutually can be utilized in dissolving disputes, including binding arbitration."

The amendment was adopted.

Mr. King moved adoption of the following amendment by Representatives King and Morrison:

On page 16, section 7, line 16 after "only" insert a period and strike all material down to and including "only, they" on line 28 and insert "(3) Such recommendations"

Renumber the remaining subsections consecutively.

Mr. King spoke in favor of the amendment, and it was adopted.

On motion of Mr. King the following amendment was adopted:

On page 17, section 7, line 4 after "borne" strike "equally"

Mr. Morrison moved adoption of the following amendment: On page 19, section 9, line 21 strike subsection (g) and reletter the remaining subsection consecutively.

Mr. Morrison spoke in favor of the amendment, and Mr. Perry spoke against it.

Mr. Conner demanded an electric roll call and the demand was sustained.

Mr. King spoke against the amendment, and Mr. Freeman spoke in favor of it.

Mr. Morrison spoke again in favor of the amendment.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Morrison to page 19 of Substitute House Bill No. 1341, and the amendment was adopted by the following vote: Yeas, 66; nays, 32; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Barnes, Bauer, Benitz, Berentson, Blair, Bluechel, Charette, Chatalas, Cunningham, Curtis, Eikenberry, Ellis,



Eng, Erickson, Flanagan, Fortson, Freeman, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kalich, Kelley, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bausch, Beck, Bender, Brown, Ceccarelli, Charnley, Clemente, Conner, Douthwaite, Ehlers, Gaines, Gallagher, Haussler, Hurley, Jastad, Johnson, Kilbury, King, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Perry, Savage, Valle, Van Dyk, Warnke, Wojahn.

On motion of Mr. Polk, the following amendments were adopted:

On page 23, section 15, line 2 after "All" insert "existing"

On page 23, section 15, line 2 after "parts of" insert "existing"

On page 23, section 15, line 5 after "all" insert "existing"

Mrs. Hayner moved adoption of the following amendment:

On page 23, section 15, line 2 after "(b)" strike all material down to and including the period on line 7 of page 23

#### POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Pullen.

Mr. Pullen: "Representative Julin, the initial clause of subsection (b) reads 'All laws or parts of laws of the state inconsistent with the provisions of this 1974 amendatory act are modified or repealed as necessary to remove such inconsistency...' In your opinion, would such language be unconstitutional under Article II, section 37 of the state Constitution?"

#### POINT OF ORDER

Mr. Charette: "My point of order is that we have never determined or really argued constitutionality of laws here. I think that is for the court to determine. I would think that if the question were directed as to what is being repealed or something of that nature, to establish the intent of the legislature, it would be proper, because then it would be part of the record."

Mr. Pullen: "I would like to point out that very early in 1973 all 98 of us took an oath of office vowing to uphold the Constitution. I think many of us might have a reservation as to how we should vote on this issue if indeed we thought it might be unconstitutional. Of course it's up to the court to determine constitutionality, but I think because of our oath of office it is really important

for us to very carefully consider this matter and if some light could be shed upon the possible constitutionality by one of the learned members of this body, then I think it is very appropriate."

#### SPEAKER'S RULING

The Speaker: "Mr. Charette, your point is not well taken. Reed's Rule 161 says 'Incompatibility, inconsistency, and unconstitutionality are matter of argument.' You may answer the question, Representative Julin."

Mr. Julin: "Representative Pullen, members of the House: Article II, section 37 of our state Constitution provides as follows: 'No act shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length.' I think and I feel that in light of that language of the Constitution it is clearly the intent of our state Constitution that this legislative body knows exactly what measures it is amending or repealing by identifying them, and for that reason I believe that this particular section would be inconsistent with our Constitution and we should support Representative Hayner's amendment."

The amendment was adopted.

Mr. Benitz moved adoption of the following amendment:  
On page 23, section 17, line 16 after "1974" and before the period insert ": PROVIDED, That funds to implement this act are appropriated by the 43rd Legislature prior to the effective date: PROVIDED FURTHER, That if such funds are not appropriated then this amendatory act shall not become effective until an appropriation is provided by the legislature"

Mr. Benitz spoke in favor of the amendment, and Representatives King and Hoggins spoke against it.

The amendment was not adopted.

Mr. O'Brien assumed the Chair.

Mr. Kuehnle moved adoption of the following amendment:  
On page 23, line 19 add a new section to read as follows:

"NEW SECTION. Sec. 19. This 1974 act shall be submitted to the people for their adoption and ratification or rejection, at the next general election to be held in this state in accordance with the provisions of section 1, Article II of the Constitution of the State of Washington as amended, and the laws adopted to facilitate the operation thereof."

Mr. Kuehnle spoke in favor of the amendment, and Mr. King spoke against it.

Mr. Pardini demanded an electric roll call, and the demand was sustained.

Mr. Kelley spoke against the amendment, and Mr. Curtis spoke in favor of it.

Mr. Hoggins spoke against the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to page 23 of Substitute House Bill No. 1341, and the amendment was lost by the following vote: Yeas, 29; nays, 69; not voting, 0.

Voting yea: Representatives Barnes, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Honan, Hurley, Jastad, Juelling, Kishimoto, Kuehnle, Leckenby, Matthews, Nelson, Paris, Polk, Schumaker, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Substitute House Bill No. 1341 was ordered engrossed.

Engrossed Substitute House Bill No. 1341 was passed to the Committee on Rules for third reading.

#### MOTIONS

On motion of Mr. Thompson, further consideration of the bills on today's calendar was deferred and the bills were ordered placed on the calendar of the next working day.

On motion of Mr. Thompson, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

January 30, 1974

HOUSE BILL NO. 1175. Prime sponsor: Representative Bauer, requiring a surety bond or liability insurance policy for pesticide applicators, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 17, after "applicant," strike all the material down to the period on line 19 and insert "except

it shall apply to damages to structures or buildings being worked upon by persons licensed under the pest control operator classification of the department of agriculture"

Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Charette, Haussler, Laughlin, Van Dyk.

January 30, 1974

HOUSE BILL NO. 1220, Prime sponsor: Representative Julin, enacting the uniform enforcement of judgments act, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers.

January 30, 1974

HOUSE BILL NO. 1259, Prime sponsor: Representative Charette, relating to the construction of statutes, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Hayner, Julin, Maxie, Shinpoch, Smith, Sommers.

January 30, 1974

HOUSE BILL NO. 1335, Prime sponsor: Representative Fortson, revising the definition of "benefit year" for purposes of unemployment compensation, reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, beginning on line 6 after "base year" strike the remainder of the paragraph down to and including "(year)." on line 11 and insert ": PROVIDED, HOWEVER, That a benefit year cannot be established if the base year wages include wages earned prior to the establishment of a prior benefit year unless ((the individual earned wages in 'employment' during the last two quarters of the new base) he had earnings in his new base year based on services performed subsequent to the commencement of his last prior benefit year of not less than six times the weekly benefit amount computed for his new benefit year."

Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, King, May, Parker.

January 30, 1974

HOUSE BILL NO. 1353, Prime sponsor: Representative King, creating a division of employee-employer relations in the department of labor and industries and prescribing its jurisdiction, reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendments:

On page 6, immediately following section 9 add a new section as follows:

"NEW SECTION. Sec. 10. The sum of one hundred thousand dollars is hereby appropriated from the general fund to the department of labor and industries for the purpose of administering the provisions of this act."

On page 1, line 16 of the title, after "43.22 RCW" insert "; and making an appropriation"

Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, King, Matthews, Morrison.

January 30, 1974

HOUSE BILL NO. 1354. Prime sponsor: Representative Charette, pertaining to businesses and professions--code correction, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers.

January 30, 1974

HOUSE BILL NO. 1355. Prime sponsor: Representative Charette, pertaining to pensions of volunteer firemen--code correction, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers.

January 30, 1974

HOUSE BILL NO. 1356. Prime sponsor: Representative Charette, pertaining to department of labor and industries--code correction, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers.

January 30, 1974

HOUSE BILL NO. 1357. Prime sponsor: Representative Charette, pertaining to state highway commission--code correction, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers.

January 30, 1974

HOUSE BILL NO. 1358, Prime sponsor: Representative Charette, pertaining to motor vehicle fuel taxes--code correction, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers.

January 30, 1974

HOUSE BILL NO. 1359, Prime sponsor: Representative Charette, pertaining to domestic relations--code correction, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers.

January 30, 1974

HOUSE BILL NO. 1360, Prime sponsor: Representative Charette, pertaining to industrial insurance--code correction, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers.

January 30, 1974

HOUSE BILL NO. 1361, Prime sponsor: Representative Charette, pertaining to water districts--code correction, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers.

January 30, 1974

HOUSE BILL NO. 1388, Prime sponsor: Representative Van Dyk, making certain changes in the laws relating to food packaging, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Charette, Laughlin, Van Dyk.

January 30, 1974

HOUSE BILL NO. 1478, Prime sponsor: Representative Hoggins, expanding the exemptions from the charitable solicitations law for charitable, religious or educational purposes, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after the enacting clause strike the remainder of the bill and insert the following:

"Section 1. Section 2, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.020 are each amended to read as follows:

When used in this chapter, unless the context otherwise requires:

(1) 'Charitable organization' means: (a) Any benevolent, philanthropic, patriotic, eleemosynary, education, social, recreation, fraternal organization, or any other person having or purporting to have a charitable nature; and (b) which solicits or solicits and collects contributions for any charitable purpose. 'Charitable' shall have its common law meaning unless the context in which it is used clearly requires a narrower or a broader meaning.

(2) 'Contribution' means the donation, promise or grant, for consideration or otherwise, of any money or property of any kind or value which contribution is wholly or partly induced by a solicitation. Reference to dollar amounts of 'contributions' or 'solicitations' in this chapter means in the case of payments or promises to pay for merchandise or rights of any description, the value of the total amount paid or promised to be paid for such merchandise or rights, and not merely that portion of the purchase price to be applied to a charitable purpose.

(3) 'Compensation' means salaries, wages, fees, commissions, or any other remuneration or valuable consideration.

(4) 'Cost of solicitation' means and includes all costs, expenditures, debts, obligations, salaries, wages, commissions, fees, or other money or thing of value paid or incurred in making a solicitation for a direct gift or conducting a sale or benefit affair.

(5) 'Director' means the director of the department of motor vehicles.

((15)) (6) 'Direct gift' shall mean and include an outright contribution of food, clothing, money, credit, property, financial assistance or other thing of value to be used for a charitable or religious purpose and for which the donor receives no consideration or thing of value in return.

((16)) (7) 'Parent organization' means that part of a charitable organization which coordinates, supervises, or exercises control over policy, fund raising, or expenditures, or assists or advises one or more chapters, branches, or affiliates of such organization in the state of Washington.

((17)) (8) 'Person' means an individual, organization, group, association, partnership, corporation, or any combination thereof.

((18)) (9) 'Professional fund raiser' means any person who, for compensation, plans, conducts, or manages any drive or campaign in this state for the purpose of soliciting contributions for or on behalf of any charitable organization or charitable purpose, or who engages in the business of or holds himself out to persons in this state as independently engaged in the business of soliciting contributions for such purposes, or the business of

planning, conducting, managing, or carrying on any drive or campaign in this state for such solicitations: PROVIDED, That the following persons shall not be deemed professional fund raisers or professional solicitors: (a) Bona fide officer or employee of a charitable organization which maintains a permanent establishment in the state of Washington; who is employed and engaged as such officer or employee principally in connection with activities other than soliciting contributions or managing the solicitation of contributions and whose salary or other compensation is not computed on funds raised or to be raised; (b) a clergyman of a religious corporation exempt under the provisions of ((REW 19.09.030)) section 2 of this 1974 amendatory act.

((19)) (10) A 'professional solicitor' means a person other than a professional fund raiser who is employed for compensation by any person or charitable organization to solicit contributions for charitable purposes from persons in this state.

((10)) (11) 'Sale and benefit affair' shall mean and include, but not be limited to, athletic or sports event, bazaar, benefit, campaign, circus, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, theater, or variety show which the public is requested to patronize or attend or to which the public is requested to make a contribution for any charitable or religious purpose connected therewith.

((11)) (12) 'Solicitation' means any oral or written request for a contribution, including the solicitor's offer or attempt to sell any property, rights, services, or other thing in connection with which:

(a) Any appeal is made for any charitable purpose; or

(b) The name of any charitable organization is used as an inducement for consummating the sale; or

(c) Any statement is made which implies that the whole or any part of the proceeds from the sale will be applied toward any charitable purpose or donated to any charitable organization.

The solicitation shall be deemed completed when made, whether or not the person making it receives any contribution or makes any sale.

Sec. 2. Section 3, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.030 are each amended to read as follows:

Except as otherwise specifically provided in other sections of this chapter, this chapter shall not apply to the following:

(1) Solicitations by religious corporations duly organized and operated in good faith as religious organizations which are entitled to receive a declaration of current tax exempt status from the government of the United States and their duly organized branches or chapters, if the solicitations by such organization are conducted among the members thereof by other members or officers thereof, voluntarily or if the solicitations are in the form of collections or contributions at the regular or special religious assemblies, meetings, or services of any such organization or solicitations by such



organizations for evangelical, missionary, or religious purposes.

(2) Any organizations which are organized and operated principally for charitable or religious or educational purposes, other than the raising of funds, when the solicitation of contributions is confined to the membership of the organization and when the solicitation is managed and conducted solely by officers and members of such organizations who are unpaid for such services.

The term 'membership' shall not include those persons who are granted membership upon making a contribution as the result of a solicitation.

~~((2))~~ (3) Persons requesting any contributions for the relief of named individuals:

(a) When the solicitation is managed and conducted solely by persons who are unpaid for such services and;

(b) When the contributions collected do not exceed the ~~((two))~~ five thousand dollars in any six month period; and

(c) When all of the contributions collected, without any deductions whatsoever except for the actual cost of a banquet, dance, or similar social gathering, are turned over to the named beneficiary or beneficiaries.

~~((3))~~ (4) Any charitable organization which does not solicit and collect contributions in this state in excess of ~~((two))~~ five thousand dollars in any six month period if all such fund raising functions are carried on by persons who are unpaid for their services.

Sec. 3. Section 10, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.100 are each amended to read as follows:

Upon receipt of an application in the proper form for registration, the director shall immediately initiate an examination to determine that:

(1) The cost of solicitation for direct gifts shall not exceed twenty percent of the total gross amount to be raised or for sale and benefit affairs shall not exceed fifty-five percent of the total gross amount to be raised; and of this fifty-five percent, not more than twenty percent shall be paid for all wages, fees, commissions, salaries, and emoluments paid or to be paid to all salesmen, solicitors, collectors, and professional fund raisers. If it appears that the cost of soliciting will exceed the percentages listed above, and except for that, the registration would otherwise be granted, the director may enter an order registering the charitable organization, upon a showing that special reasons make a cost higher than twenty percent or said fifty-five percent, or said twenty percent, respectively, reasonable in the particular case. When such an order is entered, the amount, stated as a percentage of the total purchase price, that will be given to the charitable organization or purpose shall be disclosed to each person being solicited at the time of each solicitation by conspicuously setting out such cost upon the item of goods, or upon its package, or by conspicuously setting out such cost upon a sign posted at each location where such solicitation occurs;

(2) The charitable organization has complied with all local governmental regulations which apply to soliciting for or on behalf of charitable organizations;

(3) The advertising material and the general promotional plan are not false, misleading, or deceptive and its rules and regulations, which the director may adopt, comply with the standards prescribed by the director and which afford full and fair disclosure;

(4) The charitable organization has not, or if a corporation, its officers, directors, and principals have not, been convicted of a crime involving solicitations for or on behalf of a charitable organization in this state, the United States, or any other state or foreign country within the past ten years and has not been subject to any permanent injunction or administrative order or judgment, under the provisions of RCW 19.86.080 or 19.86.090, involving a violation or violations of the provisions of RCW 19.86.020, within the past ten years, or of restraining a false or misleading promotional plan involving solicitations for charitable organizations.

Sec. 4. Section 12, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.120 are each amended to read as follows:

(1) Any charitable organization mentioned under ((RCW 49.09.030 (3))) section 2 (4) of this 1974 amendatory act:

(a) Before conducting any solicitation give written notice to the director stating its intention to solicit funds, the basis of its exemption, the purpose of such solicitation, the approximate percentage of collections, after deductions for expenses, to be actually devoted to that purpose, and when and in what area or areas such solicitation will be conducted. Written notice shall be given to the director by the organization, or by someone in its behalf, at least three days in advance of such solicitation, and if it is sent by registered or certified mail such notice shall be deemed given when deposited in the United States mail. The notice requirement of this section shall constitute a registration statement which shall be construed as registration under the provisions of this chapter.

(b) In the event that any organization, under this section, solicits and collects funds in excess of ((five)) fifteen hundred dollars during any year, such organization shall file a short form report conforming to the provisions of RCW 19.09.130. The director may require the furnishing of any further details as may be necessary for complete reporting and disclosure within the purposes of this section.

(2) No fees shall be collected in connection with any notice, registration, or report filed under this section."

In line 1 of the title, after "solicitations;" strike the remainder of the title and insert the following: "amending section 2, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.020; amending section 3, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.030; amending section 10, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.100; and amending section 12, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.120."

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Hayner, Julin, Maxie, Newhouse, Shinpoch, Smith, Sommers.

January 30, 1974

HOUSE BILL NO. 1498, Prime sponsor: Representative Wojahn, creating a civil action for wrongful taking of property belonging to a merchant, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, beginning on line 4 strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. There is added to chapter 4.24 RCW a new section to read as follows:

(1) An adult or emancipated minor who wilfully takes possession of any goods, wares or merchandise offered for sale by any wholesale or retail store or other mercantile establishment without the consent of the seller, and with the intention of converting such goods, wares or merchandise to his own use without having paid the purchase price thereof shall be liable to the seller for the retail value thereof, plus costs of not less than one hundred dollars nor more than two hundred dollars and cost of suit.

(2) The person having the legal custody of an unemancipated minor who wilfully takes possession of any goods, wares or merchandise offered for sale by any wholesale or retail store or other mercantile establishment without the consent of the seller and with the intention of converting such goods, wares or merchandise to his own use without having paid the purchase price thereof, shall be liable to the seller for the retail value of such goods, wares or merchandise plus costs of not less than one hundred dollars nor more than two hundred dollars and cost of suit."

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Hayner, Julin, Maxie, Newhouse, Smith, Sommers.

January 30, 1974

HOUSE BILL NO. 1510, Prime sponsor: Representative Flanagan, establishing rights of certain sellers of livestock, reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Hansey, Haussler, Laughlin, Schumaker, Tilly.

#### MOTIONS

On motion of Mr. Thompson, all bills listed on the supplemental report of standing committees were referred to the Committee on Rules for second reading.

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

## RECONSIDERATION

SUBSTITUTE HOUSE BILL NO. 1049, by Committee on Labor (Originally sponsored by Representatives Parker and Savage):

Requiring minimum standards for self-insurers with regard to industrial insurance to be set by the director of labor and industries.

## MOTION

Mr. Randall moved that the House do now reconsider the vote by which Substitute House Bill No. 1049 passed the House.

Representatives Randall and Hurley spoke in favor of the motion and Representative Savage spoke against it.

Mr. Van Dyk demanded an electric roll call and the demand was not sustained.

The motion for reconsideration carried on a rising vote.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of Substitute House Bill No. 1049 on final passage.

## MOTIONS

Mr. Randall moved that the rules be suspended, and Substitute House Bill No. 1049 be returned to second reading for the purpose of amendment.

The motion was not carried on a rising vote.

On motion of Mr. Randall, further consideration of Substitute House Bill No. 1049 was deferred, and the bill was ordered placed on the third reading calendar of the next working day.

On motion of Mr. Thompson, HOUSE BILL NO. 1197 was rereferred from the Committee on Higher Education to the Committee on Ways and Means - Appropriations.

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

On motion of Mr. Charette, the House adjourned until 9:00 a.m., Thursday, January 31, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## EIGHTEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, January 31, 1974.

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Robert J. Lyon of St. Paul's United Methodist Church of Tacoma.

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

## MESSAGES FROM THE SENATE

January 30, 1974

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 150,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

January 30, 1974

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2211,  
SENATE BILL NO. 2540,  
ENGROSSED SENATE BILL NO. 2572,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2675,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2689,  
ENGROSSED SENATE BILL NO. 3003,  
SUBSTITUTE SENATE BILL NO. 3145,  
ENGROSSED SENATE BILL NO. 3358,  
ENGROSSED SENATE BILL NO. 3375,  
ENGROSSED SENATE JOINT RESOLUTION NO. 149,  
and the same are herewith transmitted.

William Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

SENATE BILL NO. 2211, by Senators Francis and Whetzel:

AN ACT Relating to support of dependent children; amending section 6, chapter 206, Laws of 1963 as amended by section 14, chapter 173, Laws of 1969 ex. sess. and RCW

74.20.210.

To Committee on Judiciary.

SENATE BILL NO. 2540, by Senators Woody, Bottiger and Atwood:

AN ACT Relating to the salaries of district court judges; and amending section 101, chapter 299, Laws of 1961 as amended by section 1, chapter 192, Laws of 1969 ex. sess. and RCW 3.58.020.

To Committee on Judiciary.

ENGROSSED SENATE BILL NO. 2572, by Senators Whetzel, Ridder and Talley:

AN ACT Relating to sewer districts; amending section 1, chapter 210, Laws of 1941 as last amended by section 1, chapter 272, Laws of 1971 ex. sess. and RCW 56.04.020; amending section 10, chapter 210, Laws of 1941 as last amended by section 1, chapter 103, Laws of 1959 and RCW 56.08.010; amending section 22, chapter 210, Laws of 1941 as amended by section 11, chapter 103, Laws of 1959 and RCW 56.16.090; and adding a new section to chapter 56.20 RCW.

To Committee on Local Government.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2675, by Committee on Social and Health Services (Originally sponsored by Senator Day):

AN ACT Relating to chiropractic; amending section 2, chapter 53, Laws of 1959 and RCW 18.25.017; amending section 5, chapter 5, Laws of 1919 as amended by section 3, chapter 53, Laws of 1959 and RCW 18.25.020; amending section 6, chapter 5, Laws of 1919 as amended by section 4, chapter 53, Laws of 1959 and RCW 18.25.030; amending section 10, chapter 5, Laws of 1919 as last amended by section 5, chapter 266, Laws of 1971 ex. sess. and RCW 18.25.070; amending section 3, chapter 171, Laws of 1967 and RCW 18.26.030; amending section 4, chapter 171, Laws of 1967 and RCW 18.26.040; amending section 7, chapter 171, Laws of 1967 and RCW 18.26.070; adding new sections to chapter 18.25 RCW; and adding a new section to chapter 18.26 RCW.

To Committee on Social and Health Services.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2689, by Committee on Judiciary (Originally sponsored by Senators Mardesich, Gardner and Woody):

AN ACT Relating to juvenile courts; amending section 5, chapter 126, Laws of 1913 as last amended by section 1, chapter 111, Laws of 1972 ex. sess. and RCW 2.32.240; amending section 2, chapter 133, Laws of 1965 as last amended by section 2, chapter 111, Laws of 1972 ex. sess. and RCW 10.10.112; amending section 2, chapter 165, Laws of 1969 ex. sess. and RCW 13.06.020; amending section 5, chapter 13, Laws of 1965 as last amended by section 15, chapter 302, Laws of 1971 ex. sess. and RCW 26.44.050; amending section 10, chapter 167, Laws of 1967 as last amended by section 45, chapter 292, Laws of 1971 ex. sess. and RCW 46.20.293; adding a new chapter to Title 13 RCW; recodifying section 13, chapter 160, Laws of 1913 as amended by section 1, chapter 121, Laws of 1945 and RCW 13.04.135; recodifying section 18, chapter 160, Laws of 1913 and RCW 13.04.180; repealing section 1, chapter 160, Laws of 1913, section 1, chapter 302, Laws of 1961 and RCW 13.04.010; repealing section 2, chapter 160, Laws of 1913, section 1, chapter 135, Laws of 1921, section 1, chapter 176, Laws of 1929, section 1, chapter 65, Laws of 1937 and RCW 13.04.030; repealing section 3, chapter 160, Laws of 1913, section 1, chapter 43, Laws of 1921, section 1, chapter 270, Laws of 1951, section 9, chapter 331, Laws of 1959 and RCW 13.04.040; repealing section 4, chapter 160, Laws of 1913 and RCW 13.04.050; repealing section 2, chapter 302, Laws of 1961, section 1, chapter 101, Laws of 1973 1st ex. sess. and RCW 13.04.053; repealing section 3, chapter 302, Laws of 1961 and RCW 13.04.056; repealing section 5, chapter 160, Laws of 1913 and RCW 13.04.060; repealing section 6, chapter 160, Laws of 1913 and RCW 13.04.070; repealing section 7, chapter 160, Laws of 1913, section 4, chapter 302, Laws of 1961 and RCW 13.04.080; repealing section 5, chapter 302, Laws of 1961 and RCW 13.04.091; repealing section 6, chapter 302, Laws of 1961, section 1, chapter 137, Laws of 1967 and RCW 13.04.095; repealing section 8, chapter 160, Laws of 1913, section 7, chapter 302, Laws of 1961, section 1, chapter 138, Laws of 1969 ex. sess. and RCW 13.04.100; repealing section 1, chapter 188, Laws of 1955, section 8, chapter 302, Laws of 1961 and RCW 13.04.105; repealing section 9, chapter 160, Laws of 1913 and RCW 13.04.110; repealing section 11, chapter 160, Laws of 1913 and RCW 13.04.115; repealing section 12, chapter 160, Laws of 1913, section 1, chapter 132, Laws of 1945, section 1, chapter 58, Laws of 1959 and RCW 13.04.120; repealing section 2, chapter 132, Laws of 1945 and RCW 13.04.130; repealing section 15, chapter 160, Laws of 1913 and RCW 13.04.150; repealing section 16, chapter 160, Laws of 1913 and RCW 13.04.160; repealing section 1, chapter 116, Laws of 1953 and RCW 13.04.170; repealing section 10, chapter 302, Laws of 1961 and RCW 13.04.190; repealing section 4, chapter 297, Laws of 1957, section 2, chapter 251, Laws of

1959, section 12, chapter 302, Laws of 1961 and RCW 13.04.200; repealing section 13, chapter 302, Laws of 1961 and RCW 13.04.210; repealing section 14, chapter 302, Laws of 1961, section 54, chapter 81, Laws of 1971 and RCW 13.04.220; repealing section 15, chapter 302, Laws of 1961 and RCW 13.04.230; repealing section 16, chapter 302, Laws of 1961 and RCW 13.04.240; repealing section 1, chapter 93, Laws of 1967 and RCW 13.04.250; repealing section 4, chapter 297, Laws of 1957, section 2, chapter 251, Laws of 1959 and RCW 13.08.190; defining crimes; and making an effective date.

To Committee on Judiciary.

ENGROSSED SENATE BILL NO. 3003, by Senator Grant:

AN ACT Relating to elections; amending section 29.04.055, chapter 9, Laws of 1965 and RCW 29.04.055; amending section 6, chapter 156, Laws of 1965 ex. sess. as last amended by section 2, chapter 111, Laws of 1973 1st ex. sess. and RCW 29.04.100; amending section 4, chapter 111, Laws of 1973 1st ex. sess. and RCW 29.04.120; amending section 29.07.160, chapter 9, Laws of 1965 as amended by section 20, chapter 202, Laws of 1971 ex. sess. and RCW 29.07.160; amending section 29.18.110, chapter 9, Laws of 1965 and RCW 29.18.110; amending section 29.39.120, chapter 9, Laws of 1965 as amended by section 2, chapter 178, Laws of 1971 ex. sess. and RCW 29.39.120; amending section 1, chapter 73, Laws of 1967 ex. sess. as amended by section 3, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.010; amending section 3, chapter 73, Laws of 1967 ex. sess. as amended by section 6, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.030; amending section 5, chapter 73, Laws of 1967 ex. sess. as amended by section 9, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.050; amending section 6, chapter 73, Laws of 1967 ex. sess. as amended by section 10, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.060; amending section 7, chapter 73, Laws of 1967 ex. sess. as amended by section 11, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.070; repealing section 5, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.025; repealing section 8, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.045; repealing section 13, chapter 178, Laws of 1971 ex. sess. and RCW 29.72.900; adding new sections to chapter 9, Laws of 1965 and to chapter 29.07 RCW; defining crimes; prescribing penalties; and declaring an emergency.

To Committee on Constitution and Elections.



SUBSTITUTE SENATE BILL NO. 3145, by Committee on Financial Institutions (Originally sponsored by Senators Dore, Woody, Clarke, Jones and Mardesich):

AN ACT Relating to financial institutions; and creating a new chapter in Title 30 RCW.

To Committee on Financial Institutions.

ENGROSSED SENATE BILL NO. 3358, by Senators Peterson (Lowell) and Atwood:

AN ACT Relating to the Northern State Hospital; and creating new sections.

To Committee on Social and Health Services.

ENGROSSED SENATE BILL NO. 3375, by Senators Mardesich, Atwood, Lewis (Harry) and Bailey:

AN ACT Relating to salaries of public officials; adding new sections to chapter 43.03 RCW; providing an effective date contingent upon amending the Constitution; and providing for a referendum to the people.

To Committee on Constitution and Elections.

ENGROSSED SENATE JOINT RESOLUTION NO. 149, by Senators Bailey, Atwood, Lewis (Harry) and Mardesich:

Amending the Constitution to establish a citizens' commission to set salaries of legislators and state-wide elected officials.

To Committee on Constitution and Elections.

SENATE CONCURRENT RESOLUTION NO. 150, by Senators Mardesich, Bailey, Atwood and Lewis (Harry):

Providing for changes in the Joint Rules of the Senate and House of Representatives.

To Committee on Rules.

MOTION

On motion of Mr. Thompson, all bills listed on today's agenda under the fourth order of business were referred to the committees so designated, except Senate Concurrent Resolution No. 150.

## MOTION

On motion of Mr. Thompson, Senate Concurrent Resolution No. 150 was placed on first reading.

Senate Concurrent Resolution No. 150 was read the first time.

On motion of Mr. Thompson, the rules were suspended, and Senate Concurrent Resolution No. 150 was placed on second reading and read the second time in full.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 150 was placed on final passage.

Mr. Newhouse spoke in favor of the resolution.

Senate Concurrent Resolution No. 150 was adopted.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

## SECOND READING

HOUSE BILL NO. 1469, by Representatives North (Frances), Nelson, Smith, Hoggins, Ceccarelli and Fortson:

Preventing cruelty to animals.

## MOTION

On motion of Mr. Haussler, Substitute House Bill No. 1469 was substituted for House Bill No. 1469, and the substitute bill was placed on the calendar for second reading.

Substitute Bill No. 1469 was read the second time.

On motion of Mr. Haussler the following amendments were adopted:

On page 1, following line 27 add a new section as follows:

" NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On line 2 of the title after "penalties" insert "; and declaring-an emergency"

Substitute House Bill No. 1469 was ordered engrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed Substitute House Bill No. 1469 would be placed on third reading and final passage.

Mrs. North (Frances) spoke in favor of the bill.

POINT OF INQUIRY

Mr. Haussler yielded to question by Mr. Hansey.

Mr. Hansey: "Representative Haussler, I am somewhat concerned here in a couple of items as to how this could possibly affect the agricultural community and I thought you might be able to clarify a couple of points. One is that it indicates the word 'cruel' and I am wondering who determines whether something is cruel because I have had occasion to find that sometimes certain people can consider it cruel to feed cattle in a feedlot, for instance. I have heard people say that it is considered cruel to animals to keep poultry in cages, which is the standard process. Could you indicate if there is any legislative intent in this bill to affect regular standard commercial operations?"

Mr. Haussler: "No, there is not. This is just an extreme condition that this bill takes care of."

Mr. Hansey: "It would not affect then the regular farming operations that take place in the state on a normal procedure?"

Mr. Haussler: "No."

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1469, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed Substitute House Bill No. 1469, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 14, by Committee on Social and Health Services (Originally sponsored by Representative Bluechel):

Implementing the laws relating to acupuncture.

MOTION

On motion of Mr. Anderson, Second Substitute House Bill No. 14 was substituted for Substitute House Bill No. 14, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 14 was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Second Substitute House Bill No. 14 would be placed on third reading and final passage.

Mr. Bluechel spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 14, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representatives Fortson, Wojahn.

Second Substitute House Bill No. 14, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 94, by Representatives Beck, Parker, Bender, Anderson and Ceccarelli:

Providing veterans with certain public employment preferences.

MOTION

On motion of Mr. Williams, Substitute House Bill No. 94 was substituted for House Bill No. 94, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 94 was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Substitute House Bill No. 94 would be placed on third reading and final passage.

Mr. Beck spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 94, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shimpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Charnley.

Substitute House Bill No. 94, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 493, by Representatives Knowles and Eikenberry:

Repealing the host-guest statutes.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 493 would be placed on third reading and final passage.

Mr. Knowles spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 493, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 493, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1397, by Representatives Julin, Knowles and Charette:

Providing for payment of attorney's fees.

The bill was read the second time.

Committee on Judiciary report: Majority, do pass as amended. (For amendment, see Journal for sixteenth day, 3rd. ex. sess., January 29, 1974.)

On motion of Mr. Knowles, the committee amendment was adopted.

House Bill No. 1397 was ordered engrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed House Bill No. 1397 would be placed on third reading and final passage.

Mr. Julin spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1397, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette,

Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Kopet, and Mr. Speaker.

Engrossed House Bill No. 1397, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1463, by Representatives Perry, Charnley, Kraabel, Berentson and Hayner (by Superintendent of Public Instruction request):

Authorizing school districts to enter into contracts with other governmental entities to provide for transportation of both students and the public through use of school transportation facilities.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Do pass as amended. (For amendment, see Journal for sixteenth day, 3rd ex. sess., January 29, 1974.)

On motion of Mr. Bauer, the committee amendment was adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Hayner:

On page 1, section 1, line 21 after "purposes" and before the period insert ": PROVIDED FURTHER, That wherever public or private transportation certified or licensed by the Washington Utilities and Transportation Commission is not reasonably available, the school district or intermediate school district may transport members of the public so long as they are reimbursed for the cost of such transportation"

#### POINT OF INQUIRY

Mr. Tilly yielded to question by Mr. Perry.

Mr. Perry: "It isn't your intention is it to invalidate any previous section of this act with your amendment?"

Mr. Tilly: "Not at all. We have asked the attorney to carefully look into this and also the constitutionality provision."

Mr. Perry spoke in favor of the amendment.

The amendment was adopted.

House Bill No. 1463 was ordered engrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed House Bill No. 1463 would be placed on third reading and final passage.

Representatives Perry and Charnley spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1463, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 1463, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1507, by Representatives Van Dyk, Kopet and Shinpoch:

Providing for thermal siting fees.

#### MOTION

Mr. Thompson moved that House Bill No. 1507 be rereferred to the Committee on Transportation and Utilities.

Mr. Thompson spoke in favor of the motion.



Mr. Kopet spoke concerning the motion.

The motion was carried.

HOUSE BILL NO. 1354, by Representatives Charette and Knowles (by Code Reviser request):

Pertaining to businesses and professions--code correction.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1354 would be placed on third reading and final passage.

Representatives Charette and Julin spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1354, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 1354, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1355, by Representatives Charette and Knowles (by Code Reviser request):

Pertaining to pensions of volunteer firemen--code correction.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1355 would be placed on third reading and final passage.

Mr. Charette spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1355, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 1355, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1356. by Representatives Charette and Knowles (by Code Reviser request):

Pertaining to department of labor and industries--code correction.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1356 would be placed on third reading and final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1356, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris,

Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Morrison, Newhouse.

House Bill No. 1356, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1357, by Representatives Charette and Knowles (by Code Reviser request):

Pertaining to state highway commission--code correction.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1357 would be placed on third reading and final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1357, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Charnley.

House Bill No. 1357, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1358, by Representatives Charette and Knowles (by Code Reviser request):

Pertaining to motor vehicle fuel taxes--code correction.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1358 would be placed on third reading and final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1358, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Clemente.

House Bill No. 1358, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1359, by Representatives Charette and Knowles (by Code Reviser request):

Pertaining to domestic relations--code correction.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1359 would be placed on third reading and final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1359, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson,

Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Ehlers, Lysen.

Not voting: Representative Wilson.

House Bill No. 1359, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1360, by Representatives Charette and Knowles (by Code Reviser request):

Pertaining to industrial insurance--code correction.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1360 would be placed on third reading and final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1360, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Ellis, Kalich, Polk, Tilly.

House Bill No. 1360, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1361, by Representatives Charette and Knowles (by Code Reviser request):

Pertaining to water districts--code correction.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1361 would be placed on third reading and final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1361, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 1361, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Charette, all bills passed by the House to this point were ordered transmitted immediately to the Senate.

On motion of Mr. Charette, ENGROSSED SUBSTITUTE HOUSE BILL NO. 1341 was placed on the calendar for immediate consideration.

#### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1341, by Committee on Labor (Originally sponsored by Representatives King, Morrison, Charette, Savage, Beck and Bausch):

Providing for an educational employment relations act.

The bill was read the third time.

Mr. King spoke in favor of the bill.

POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Julin.

Mr. Julin: "Representative Kuehnle, when this measure was before us yesterday on second reading, you proposed an amendment dealing with the right to strike and I noticed that you joined with all but one member of this body in voting against your own amendment. Subsequently there was another amendment dealing with the same subject on which there was a split vote. My question to you, in light of that, is what was your purpose and intent in offering an amendment which you ended up voting against?"

Mr. Kuehnle: "I had determined that the best manner in which I might clearly set down my very serious objections to including any provision which might include the right to strike was to offer the amendment in the affirmative, as I did, so that I and a great many other members of this body might have a clear-cut option of saying that we do not want to include in this bill the right to strike. This was my reason for offering an amendment, which I fully intended to oppose when we got around to the vote."

POINT OF INQUIRY

Mr. King yielded to question by Mr. Thompson.

Mr. Thompson: "Representative King, would you provide an explanation of the purposes in offering your amendment relating to strike provisions in this measure?"

Mr. King: "My purpose in offering an amendment which would have prohibited strikes, and to urge, as I did, the body to vote against it (and the legislature did vote against it) was to point out that we were not joining the issue of whether or not strikes should be allowed. This bill remains silent on that issue--the mention of strike has been taken out of it completely. We felt that it was a philosophical subject and that we were not ready at this time to vote directly on it. So you would find me and the majority of the members of this body voting both to not allow strikes and to not prohibit strikes. That is what the legislature has done up to this point. We are silent on that issue."

Mr. Thompson demanded a Call of the House, and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Thompson, the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House was final passage of Engrossed Substitute House Bill No. 1341.

Mr. Thompson demanded an oral roll call and the demand was sustained.

#### POINT OF INQUIRY

Mr. King yielded to question by Mr. Tilly.

Mr. Tilly: "Representative King, in putting this bill together, I would like to have your comments as to how much input there was in the final bill by the school directors and by the trustees of community colleges."

Mr. King: "The original bill had a number of things which are not in this bill that is now before us. It had the right to strike--this bill does not, it remains silent on it. While I have this opportunity maybe I ought to add, for those of you that were concerned about my earlier answer, that the courts have consistently interpreted that there is no natural right under the common law to strike. That has been the decision of the court. What we have done in this bill, as I see it, by remaining silent, is not to affect at all the decisions that have been made in the past. In other words, we haven't gone against any positive statements, one way or the other; we have left it up to the courts, and they have consistently ruled that strikes are illegal. So in effect, the first concession that was made was to take the right to strike out of the bill. The second one was taking unilateral binding arbitration out of the bill. The third, by floor amendment, which I didn't agree to ahead of time, but I am sure had a great deal of input on the part of the directors and the boards, etc., was to take out subsection (g) which made it an unfair labor practice to adopt a matter as unilateral policy when negotiations were in progress. Fourth, we adopted a floor amendment which said that the long-term objectives and goals would not be negotiable, and I recall in the floor debate that the people who were supporting that said that this was the crucial item, the principal thing, that the boards and the people in the local districts were concerned about, and, if you will recall, I got up and said at the time that nobody intended that we take away this kind of power from them and agreed to the amendment. Now I would consider those kinds of concessions a result of input on the parts of the boards and school directors in the state of Washington. I also might add that I didn't agree myself in all of them, but I am still going to support the bill."

Representatives Tilly and Warnke spoke against the bill.



POINT OF INQUIRY

Mr. King yielded to question by Mr. Flanagan.

Mr. Flanagan: "The title says 'An Act Relating to employer/employee relations in the public and private sectors...' I was wondering why the private sector is included in this title?"

Mr. King: "The reason for that was that when we first started drafting we had intended to include public and private sectors, all collective bargaining under one agency. After the compromises that went on we ended up with an education employee/employer relations bill. It still has the same title. The reason that it was there is that we have laws such as in the hospital field where we have one law that applies to the public employees and a slightly different law that applies to private employees and we wanted to bring them all together."

Mr. Charette spoke in favor of the bill, and Mr. Freeman spoke against it.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Amen.

Mr. Amen: "Representative Charette, you commented saying that you had a lot of input from the administrators of schools. I cover a large area, have a lot of schools and I have had a lot of input from the administrators and quite a few of the directors. In the total input that I have had they all say that this is a bad bill and they are opposing it. I wonder if the administrators from your area are different from the ones in mine?"

Mr. Charette: "Representative Amen, I said that the discussions that I had with the school administrators were concerning the original bill. When the amendment by Representatives Barnes and Eikenberry was accepted I think that removed much of their concern for the bill. This is also a problem that I have--perhaps you folks that live in a large area don't have contact with your school directors because somebody who is in the city of Seattle represents a small part of the school district. I represent 13 school districts and if you multiply that by the number of board members and superintendents you will see that I have a lot more people to talk to and have a variety of opinions. They express their opinions quite well. I don't think they will be unhappy with this bill. The point that I wish to make is that whether the school directors and school superintendents or the teachers are happy or unhappy is only part of the input. I have to make my decision whether I think this is the proper thing to start or to go along with for solving this problem. They aren't here to vote for me."

Representatives Bausch and Beck spoke in favor of the bill, and Representative Pardini spoke against it.

Mr. Conner demanded the previous question, and the demand was not sustained.

Mr. Eikenberry spoke against the bill, and Mr. Savage spoke in favor of its passage.

Mr. Charette demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1341, and the bill passed the House by the following vote: Yeas, 56; nays, 42; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hoggins, Hurley, Johnson, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Honan, Jastad, Jueling, Julin, Kalich, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Thompson, Tilly, Wilson, Zimmerman.

Engrossed Substitute House Bill No. 1341, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

We voted against Engrossed Substitute House Bill No. 1341 with full recognition of the vital need to alter the means by which employee-employer relationships are resolved. The present procedure has proved unworkable. The best evidence of this is the strikes which have occurred, the prolonged and frequent impasses.

This procedure must be better balanced. It must be professionalized through the utilization of technicians skilled in resolving such disputes. A labor model of collective bargaining may well serve this purpose best. But, whatever method or device is developed, it must be the result of calm deliberation based on a balanced input from all parties to this concern. Parents of school children as well as the public at large are certainly to be considered concerned parties and provided with an opportunity to review and understand the options that might be proposed.

This process, regrettably, takes time. Only through this process, however, will the solution be accepted and

implemented in good faith, and will the public have confidence in our legislative action.

ALAN THOMPSON, 18th District  
HUGH KALICH, 20th District  
ELMER JASTAD, 20th District

#### MOTIONS

On motion of Mr. Charette, Engrossed Substitute House Bill No. 1341 was ordered transmitted immediately to the Senate.

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

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

#### MOTION

On motion of Mr. Charette, the House reverted to the sixth order of business.

#### SECOND READING

#### MOTION

On motion of Mr. Charette, HOUSE BILL NO. 1231 was moved to the bottom of today's second reading calendar.

HOUSE BILL NO. 383, by Representatives Van Dyk, Douthwaite and Charnley:

Providing standards for approval of plats and subdivisions.

On motion of Mr. Haussler, Second Substitute House Bill No. 383 was substituted for House Bill No. 383, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 383 was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Second Substitute House Bill No. 383 would be advanced to third reading and final passage.

Mr. Haussler spoke in favor of the bill, and Mr. Kuehnle spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 383, and the bill passed the House by the following vote: Yeas, 91; nays, 3; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Fortson, Kuehnle, Schumaker.

Not voting: Representatives Parker, Tilly, Van Dyk, and Mr. Speaker.

Second Substitute House Bill No. 383, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED HOUSE BILL NO. 387, by Representatives Wojahn, Kuehnle, Erickson and Ehlers (by Joint Committee on Education request):

Implementing law relating to school district organization.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments, see Journal for eleventh day, 3rd ex. sess., January 24, 1974.)

On motion of Mr. Bauer, the committee amendments were adopted.

Engrossed House Bill No. 387 was ordered reengrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Reengrossed House Bill No. 387 would be advanced to third reading and final passage.

Mrs. Wojahn spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 387, and the bill passed the House by the following vote: Yeas, 82; nays, 11; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Freeman, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Amen, Flanagan, Garrett, Gilleland, Hayner, Juelling, Kuehne, Matthews, Morrison, Newhouse, Pullen.

Not voting: Representatives Clemente, Fortson, Parker, Van Dyk, and Mr. Speaker.

Reengrossed House Bill No. 387, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the Committee on Ways and Means was relieved of ENGROSSED SENATE BILL NO. 3100, and the bill was placed at the top of the calendar to be considered immediately.

ENGROSSED SENATE BILL NO. 3100, by Senators Durkan, Donohue, Sandison and Lewis (Harry):

Transferring funds for use by the state patrol.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed Senate Bill No. 3100 would be advanced to third reading and final passage.

Mr. Bagnariol spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Cunningham.

Mr. Cunningham: "Representative Bagnariol, following the steamrolling path of the juggernaut this morning, I'm a little nervous about last minute pay raises. Could you give me just a little background where the State Patrol stands in comparison to pay raises in other parts of the public sector in the state?"

Mr. Bagnariol: "I can give you some background on it. In the units that they were compared with, the city of Seattle and some of the others, our patrolmen lag behind about \$100 per month. If we compare the different positions--for example, majors in the patrol as compared with other units are about \$250 a month behind. By the way, this pay raise includes overtime from the standpoint that our patrolmen will not collect overtime for excess hours worked on their regular shifts. From sergeant and above they will receive no overtime, even in compensatory time, because they are part of management. I think the Patrol came in with this proposal in a very responsible manner. They were compared with other state patrol units in other states--Oregon, California and some of our neighboring states--and they lag behind those people. In comparing them with the King County Sheriff's Department and the Seattle Police Department, they lag behind those. This is an effort to give them a modest pay increase to bring them closer to where I think they should be."

## POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Blair.

Mr. Blair: "Thank you, Representative Bagnariol. I just listened to your explanation of the bill, and I think I comprehend all of it, but I don't see any provision in the bill for the funding that you spoke of. So I assume that must be included in another bill. Could you explain to us how this is going to tie in and when we are going to see all of it?"

Mr. Bagnariol: "There are two other bills following: Senate Bill No. 3021 and Senate Bill No. 3022. The increase in the fees for out of state vehicles are increased to \$10 and the verification of motor vehicle identification fee is increased to \$5. That's where the money comes from."

Representatives Morrison and Moon spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3100, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Tilly.

Not voting: Mr. Speaker.

Engrossed Senate Bill No. 3100, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Mr. Thompson, Engrossed Senate Bill No. 3100 was transmitted immediately to the Senate.

#### STATEMENT FOR THE JOURNAL

I voted 'No' on Engrossed Senate Bill No. 3100 because although I believe the state patrol personnel are probably deserving of a pay raise, I object to rushing any issue through the legislature without adequate study and debate.

EARL F. TILLY, 12th District.

HOUSE BILL NO. 647, by Representatives Conner, Parker, Van Dyk, Rabel, Blair, Paris, Wojahn, Eng, Perry and Maxie (by Executive request):

Creating a new board of prison terms and paroles and defining its functions.

On motion of Mr. Williams, Substitute House Bill No. 647 was substituted for House Bill No. 647, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 647 was read the second time.

On motion of Mr. Newhouse the following amendments were adopted:

On page 9, section 12, line 21 strike all of the material down to and including "parole unless" on line 22 and insert "A resident shall not be released on parole if"

On page 14, section 18, line 10 strike "1973" and insert "1974"

On page 24, line 13 strike section 34 and insert:

" NEW SECTION. Sec. 34. Except as otherwise provided in section 18, this 1974 amendatory act shall take effect on July 1, 1975: PROVIDED, That the chairman of the board of prison terms and paroles is authorized and directed to hire hearing officers and other employees on January 1, 1975, and begin training hearing officers and staff in order to commence operation on July 1, 1975."

Substitute House Bill No. 647 was ordered engrossed.

#### MOTION

On motion of Mr. Charette, Engrossed Substitute House Bill No. 647 was rereferred to the Committee on Ways and Means - Appropriations.

HOUSE BILL NO. 1167, by Representative Julin:

Amending the law relating to comparative negligence.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal for sixteenth day, 3rd ex. sess., January 29, 1974.)

On motion of Mr. Kelley, the committee amendments were adopted.

House Bill No. 1167 was ordered engrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed House Bill No. 1167 would be placed on third reading and final passage.

Mr. Kelley spoke in favor of passage of the bill, and Mr. Moon spoke against it.

#### POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Moon.

Mr. Moon: "I am one who is in favor of this doctrine of comparative negligence. I think that this bill as it is written has a pretty good loophole in it. If you will read 'if such contributory negligence was no greater than the negligence of the person or other entity against whom recovery is sought...' I would interpret this to mean that if I were a plaintiff filing suit against 3 people, the entity of 3 individuals, it would end up that myself and each of the other 3 people are all one-fourth responsible for the act. Even though I would be only one-fourth responsible and the other three 75%, I couldn't collect. I may be mistaken in this, could you answer this?"

Mr. Smith: "There is a problem the way this bill reads in the instance of the joint tort feisor. In other words, the situation arises, not uncommonly, where one individual will be injured by the acts of two other people and if the individual who was injured was 40% contributory in



negligence and the joint tort feasor were each found to be 30% negligent, their negligence taken together is 60%, so the injured party would not be able to recover against the two of them."

Mr. Moon spoke against the bill, and Mr. Julin spoke in favor of its passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1167, and the bill passed the House by the following vote: Yeas, 74; nays, 22; not voting, 2.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Cunningham, Curtis, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Jastad, Jueling, Julin, Kalich, Kelley, Kilbury, Kishimoto, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Sommers, Thompson, Tilly, Van Dyk, Warnke, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Clemente, Douthwaite, Ehlers, Fortson, Goltz, Haussler, Hurley, Johnson, King, Knowles, Lysen, Martinis, Maxie, Moon, North F., Randall, Shinpoch, Smith, Valle, Williams, Wojahn.

Not voting: Representatives Anderson, Wilson.

Engrossed House Bill No. 1167, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1420, by Representatives Clemente, Kopet and Luders (by Superintendent of Public Instruction request):

Setting forth distribution formula for state funds apportioned to school districts.

The bill was read the second time.

Committee on Education recommendation: Do pass as amended. (For amendments, see Journal for fifteenth day, 3rd ex. sess., January 28, 1974.)

On motion of Mr. Bauer, the committee amendments were adopted.

House Bill No. 1420 was ordered engrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed House Bill No. 1420 would be advanced to third reading and final passage.

Representatives Luders and Clemente spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1420, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hausler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 1420, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1437, by Representatives Goltz, Bagnariol, Kopet and Gaines:

Assures budgets setting forth costs arising from higher education personnel law in institutions of higher education go to director of office of program planning and fiscal management for review.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1437 would be advanced to third reading and final passage.

Mr. Goltz spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1437, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz,

Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 1437, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 916, by Representatives McCormick, Bagnariol and May:

Relating to outdoor advertising.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal for fifteenth day, 3rd ex. sess., January 28, 1974.)

Mr. Perry moved that the committee amendment be adopted.

Mr. Kraabel moved adoption of the following amendments to the committee amendment by Representatives Kraabel and Charnley:

On page 1, section 1, line 9 after "outside" and before "commercial" strike "an incorporated city or town or" and insert "areas zoned"

On page 1, section 1, line 10 after "industrial" strike "area"

Mr. Kraabel spoke in favor of the amendments.

Mr. Charnley spoke in favor of the amendments, and Representatives Perry and Berentson spoke against them.

Mr. Kraabel spoke again in favor of the amendments, and Mr. Anderson spoke against them.

Mr. Charnley spoke again in favor of passage of the amendments to the committee amendment.

The amendments to the committee amendment were not adopted.

Mr. Smith moved adoption of the following amendment to the committee amendment:

Following section 2 of the committee amendment add section 3 to read as follows:

"Sec. 3. Section 14, chapter 96, Laws of 1961 as amended by section 18, chapter 62, Laws of 1971 ex. sess. and by section 28, chapter 73, Laws of 1971 ex. sess. and RCW 47.42.140 are each repealed, reenacted and amended to read as follows:

The following portions of state highways are designated as a part of the scenic system:

(1) State route number 2 beginning at the crossing of Woods creek at the east city limits of Monroe, thence in an easterly direction by way of Stevens pass to a junction with state route number 97 in the vicinity of Peshastin.

(2) State route number 7 beginning at a junction with state route number 706 at Elbe, thence in a northerly direction to a junction with state route number 507 south of Spanaway.

(3) State route number 11 beginning at the Blanchard overcrossing, thence in a northerly direction to the limits of Larabee state park (north line of section 36, township 37 north, range 2 east).

(4) State route number 12 beginning at Glenoma southeast of Morton, thence in an easterly direction across White pass to the Oak Flat junction with state route number 410 northwest of Yakima.

(5) State route number 90 beginning at the westerly junction with state route number 901, thence in an easterly direction by way of North Bend and Snoqualmie pass to a junction with state route number 97 at Cle Elum.

(6) State route number 97 beginning at a junction with state route number 90 at Cle Elum, thence via Blewett (Swauk) pass to a junction with state route number 2 in the vicinity of Peshastin.

(7) State route number 123 beginning at a junction with state route number 12 at Ohanapecosh junction in the vicinity west of White pass, thence in a northerly direction to a junction with state route number 410 at Cayuse junction in the vicinity west of Chinook pass.

(8) State route number 165 beginning at the northwest entrance to Mount Rainier national park, thence in a northerly direction to a junction with state route number 162 east of the town of South Prairie.

(9) State route number 305, beginning at the ferry slip at Winslow on Bainbridge Island, thence northwesterly by way of Agate Pass bridge to a junction with state route number 3 approximately four miles northwest of Poulsbo.

(10) State route number 410 beginning at the crossing of Scatter creek approximately six miles east of Enumclaw, thence in an easterly direction by way of Chinook pass to a junction of state route number 12 and state route number 410.

~~((40))~~ (11) State route number 706 beginning at a junction with state route number 7 at Elbe thence in an easterly direction to the southwest entrance to Mount Rainier national park."

Representatives Smith and Perry spoke in favor of the amendment to the committee amendment, and Mr. Charnley spoke against it.

The amendment was adopted.

The committee amendment as amended was adopted.

Mr. Perry moved adoption of the committee amendment to the title.

On motion of Mr. Smith, the following amendment to the committee amendment to the title was adopted:

Before the period at the end of the title insert "; repealing, reenacting and amending section 14, chapter 96, Laws of 1961 as amended by section 18, chapter 62, Laws of 1971 ex. sess. and by section 28, chapter 73, Laws of 1971 ex. sess. and RCW 47.42.140"

The committee amendment to the title as amended was adopted.

House Bill No. 916 was ordered engrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed House Bill No. 916 would be placed on third reading and final passage.

Mrs. McCormick spoke in favor of the bill, and Mr. Charnley spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 916, and the bill passed the House by the following vote: Yeas, 83; nays, 14; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Brown, Charnley, Douthwaite, Eng, Goltz, Hoggins, Kelley, Kraabel, North L., Valle, Van Dyk, Williams.

Not voting: Representative Rabel.

Engrossed House Bill No. 916, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

January 31, 1974

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3100,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker was about to sign:

SENATE BILL NO. 3100.

## SECOND READING

HOUSE BILL NO. 816, by Representatives Hansen, Ellis, Moon, Clemente and Tilly:

Requiring trains to show oscillating lights.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal for sixteenth day, 3rd ex. sess., January 29, 1974.)

On motion of Mrs. McCormick, the committee amendments were adopted.

Mr. Morrison moved adoption of the following amendment: On page 3, section 2, line 6 insert the following:

"NEW SECTION. Sec. 2. There is added to chapter 81.44 RCW a new section to read as follows:

By January 1, 1985 each railroad car operated on any railroad trackage of any railroad operating within the state shall be equipped with reflectorized materials in such a manner as to provide warning of the location of the car to motorists approaching a grade crossing during the hours of darkness. The Utilities and Transportation Commission shall, pursuant to RCW 34.04, adopt such rules and regulations as are necessary to implement the goals and purposes of this paragraph after consultation with and in coordination with the railroads concerned, appropriate agencies of the government of this state, adjoining states and provinces, the Dominion of Canada, and the United States of America and other interested parties."

Representatives Morrison and Kilbury spoke in favor of the amendment.

The amendment was adopted.

On motion of Mrs. McCormick, the committee amendment to the title was adopted.

On motion of Mr. Morrison, the following amendment to the title was adopted:

On line 2 following the committee amendment to the title insert "; and adding a new section to chapter 81.44 RCW"

House Bill No. 816 was ordered engrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed House Bill No. 816 would be advanced to third reading and final passage.

Representatives Hansen and Garrett spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 816, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 816, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### HOUSE BILL NO. 931, by Representative Luders:

Implementing the laws relating to insurance.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal for fifteenth day, 3rd. ex. sess., January 28, 1974.)

On motion of Mr. Parker the committee amendments were adopted.

House Bill No. 931 was ordered engrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed House Bill No. 931 would be placed on third reading and final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 931, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 931, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1147, by Representatives Hansey and Berentson:

Changing the population requirements for a full time justice of the peace.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal for sixteenth day, 3rd ex. sess., January 29, 1974.)

On motion of Mr. Knowles, the committee amendments were adopted.

House Bill No. 1147 was ordered engrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed House Bill No. 1147 would be placed on third reading and final passage.

Mr. Hansey spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1147, and the bill passed the



House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cunningham, Haussler.

Engrossed House Bill No. 1147, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, consideration of HOUSE BILL NO. 1214 was deferred, and the bill was ordered placed at the bottom of the second reading calendar.

HOUSE BILL NO. 1255, by Representatives Gallagher, Berentson and Hansen:

Permitting compactor type two axle garbage trucks to purchase additional gross weight tolerances.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1255 would be placed on third reading and final passage.

Mr. Gallagher spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1255, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto,

Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Ceccarelli.

House Bill No. 1255, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1309, by Representative Bauer (by Superintendent of Public Instruction request):

Deleting superfluous and misleading RCW references from 1969 school building financial assistance act.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1309 would be placed on third reading and final passage.

Mr. Bauer spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1309, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Jastad.

House Bill No. 1309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1321, by Representatives Luders, Bausch, Morrison, Zimmerman, Bauer and Laughlin:

Regulating water supply operators.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1321 would be placed on third reading and final passage.

Mr. Luders spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Luders, I have been reading this bill and I have developed a concern that I can't find an answer to. In the case of a public water supply--let's say that we have a municipal corporation out here that services a thousand houses and also furnishes water to an industrial complex contained within the confines of that district, but the distribution system within that complex is not owned by the district, it is privately owned, and this is often the case. Then does the owner of that complex, which distributes water and it is a public water supply, have to license someone under this act to do things which he is incapable of doing because he doesn't even have a valve on the system?"

Mr. Luders: "That question sounds very familiar. I talked with the gentleman from Social and Health Services who is in charge of this, and he said that you need not be concerned and under that circumstance you would not have to."

Mr. Kuehnle: "In the case of a municipal corporation--we have a lot of them over in the Spokane Valley--they are very small water districts serving relatively small areas, but I think they all would be Class I under the definition here. If they only have just a part time maintenance man, they do not have an on-site man, and this language here talks about the certification of the on-site resident operator, but all they have is a maintenance man who moonlights from some other job and if something goes wrong someplace then he comes and takes care of it. Does that man have to be certified?"

Mr. Luders: "It is my understanding that he would have to, yes. The reason for that is that since he is dealing in some way or other with potable water that he should have some knowledge of the purification. On the other hand, the methods by which he gets certified are relatively simple--by correspondence course, or a number of different ways. He doesn't have to leave the job or go back to school."

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1321, and the bill passed the House by the following vote: Yeas, 83; nays, 12; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Anderson, Berentson, Flanagan, Fortson, Garrett, Hansen, Juelling, Kuehne, North F., Pullen, Schumaker.

Not voting: Representatives Conner, Hansey, Lysen.

House Bill No. 1321, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1508, by Representatives Blair, Parker, Kraabel, Luders, Wojahn and Erickson:

Allowing insurance rates to reflect differences on risk factors between the sexes.

The bill was read the second time.

On motion of Mrs. Wojahn, the following amendment was adopted:

On page 1, section 1, line 23 after "discrimination," strike "except that insurance rates may continue to reflect differences in risk and exposure factors as between the sexes" and insert "PROVIDED HOWEVER, That different insurance rates may be continued and/or applied on the basis of sex when bona fide statistical differences in risk or exposure are substantiated"

House Bill No. 1508 was ordered engrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed House Bill No. 1508 would be placed on third reading and final passage.

Representatives Blair and Wojahn spoke in favor of the bill, and Representative Shinpoch spoke against it.

## POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Wojahn, I am concerned about the amendment that was placed from the floor. I thought that the language that was there was satisfactory and now I am not satisfied with the other '...that insurance rates may be continued and/or applied on the basis of sex when bona fide statistical differences in risk or exposure are substantiated.' How much detail will have to be provided in order to justify rate differentials under this bona fide statistical difference? It seems to me that is going to make it rather complicated for insurance companies or for the insurance commissioner to establish different rates. Is it going to be something that requires great detail and proof, etc., or is this going to be general evidence that would indicate that one sex should have a better rate than the other?"

Mrs. Wojahn: "It clarifies and removes the problem that Representative Shinpoch just brought up here today, that there must be bona fide statistical information made available, and because this wording is added it should remove Representative Shinpoch's objection to the proposal. It would have to be bona fide--it would have to be substantiated and it could be challenged if it were not true. It would make it much more secure."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1508, and the bill passed the House by the following vote: Yeas, 72; nays, 24; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Beck, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Hansen, Hansey, Haussler, Hendricks, Honan, Hurley, Jastad, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Smith, Thompson, Tilly, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bausch, Bender, Charnley, Clemente, Douthwaite, Eng, Gaspard, Goltz, Hayner, Hoggins, Johnson, Kelley, Kishimoto, Kuehnle, Lysen, Moon, Pullen, Schumaker, Shinpoch, Sommers, Valle, Van Dyk, Warnke, Williams.

Not voting: Representatives Morrison, Newhouse.

Engrossed House Bill No. 1508, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 90, by Representatives Kopet, Thompson and Curtis (by Legislative Budget Committee request):

Providing for filing of personal service contracts.

On motion of Mr. Shinpoch, Substitute House Bill No. 90 was substituted for House Bill No. 90, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 90 was read the second time.

POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Perry.

Mr. Perry: "In this act I note and I understand your provisos insofar as personal employment and professional employment and contracts are concerned. I understand the need for that, but what about the incidental employment such as the professor we had from Washington State University, the agricultural professor, who, high amongst others, was hired on a per diem basis, is that meant to be in this act? In other words, would we have to wait ten days if we found an emergent situation where we wanted some information from Washington State University or some person, rather than writing a contract for a prolonged period? Is any employment, at any time, even though it is incidental or on an emergent basis (there's no description of this in the act) meant to be covered in an employment contract?"

Mr. Shinpoch: "To answer the first part of your question first: Beginning on line 19, page 1, it describes how you take care of an emergency, and it merely calls them where work commencement is clearly a major and overriding factor in compiling an immediate contract. Relative to your other question, I can only give you my opinion, but those things which deal with per diem only I would assume that it is not on a personal services contract and on that basis would not come under this. To carry that one step further, I would also assume that if you did write a personal services contract, whatever the payment was, that it would come under the filing requirement."

Mr. Perry: "There is nothing in this act that would prohibit, without a 10-day delay, the per diem employment of an expert in a specific field?"

Mr. Shinpoch: "In my judgment if the work commencement is clearly a major and overriding factor and immediate contract action is mandatory then there are provisions specifically made in this bill for that."

Mr. Perry: "I don't see any provisions for the legislature, that refers to the Governor's office and the OPPEFM and some of the other areas, but where are the provisions relative to the legislature's employment of expertise?"

Mr. Shinpoch: "I'm sorry, I guess I can't answer your question. I have answered to the best of my ability and apparently I don't understand what you mean."

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Substitute House Bill No. 90 would be advanced to third reading and final passage.

Mr. Kopet spoke in favor of the bill.

POINT OF INQUIRY

Mr. Kopet yielded to question by Mr. Moon.

Mr. Moon: "Does the incidental or emergent employment that Representative Perry asked about have to be recorded?"

Mr. Kopet: "If you mean on a per diem basis, my answer is the same as Mr. Shinpoch's. I feel that it could be reported to the Legislative Budget Committee that you are hiring somebody. I know that information is particularly required on a per diem basis."

Representatives Perry and Shinpoch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 90, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Beck.

Not voting: Representative Lysen.

Substitute House Bill No. 90, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Mr. Thompson, the following bills were advanced to the top of the second reading calendar in the order given: HOUSE BILL NO. 1206, HOUSE BILL NO. 1261, HOUSE BILL NO. 1292, HOUSE BILL NO. 1388, HOUSE BILL NO. 1478, and HOUSE BILL NO. 1181.

On motion of Mr. Thompson, all bills passed in the afternoon session to this point, were ordered transmitted immediately to the Senate.

## STATEMENT FOR THE JOURNAL

I notice in the minutes that I voted "No" on Substitute House Bill No. 90 on final passage. My intention was to vote "Yea" and I request the Journal to so indicate.

C. W. "RED" BECK, 26th District.

## STATEMENT FOR THE JOURNAL

My voting machine malfunctioned. Please record me as voting "Yes" on Substitute House Bill No. 90.

KING LYSEN, 31st District.

HOUSE BILL NO. 1206, by Representatives Bagnariol, Pardini and Kopet (by Office of Program Planning and Fiscal Management request):

Transferring the federal revenue sharing trust fund to the state general fund.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1206 would be advanced to third reading and final passage.

Mr. Bagnariol spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Moon.

Mr. Moon: "Does this measure provide an opportunity for bookkeeping transactions which would make the general fund look better than it really is by juggling from one fund to another?"

Mr. Bagnariol: "No, it just strictly deals with cash flow, Representative Moon, and the next bill coming along, House Bill No. 1261, deals with the same subject. All it does is allow the money to be transferred. You see, we set up a trust fund to receive federal revenue sharing dollars. At that time the federal government had not written the rules and regulations for the disbursement of those funds. Since then we have communicated, or OPPE&FM has, with the federal government and have answers back in writing that the money must be deposited in that trust fund and



disbursed to the general fund. Ultimately, in order for it to be spent it has to go through the general fund. This only allows it to go through immediately instead of just sitting there. During the first quarter of every year we have a very severe cash flow problem which has little or nothing to do with the total dollars of the state. It's just a cash flow situation, and this will help out that problem."

Mr. Moon: "There won't be any loss of revenue from investment of funds from the revenue sharing, and by so doing it might even prevent the state from having to draw warrants. Is that correct?"

Mr. Bagnariol: "It is possible. At this point in time we are looking at the potential of about a \$120,000,000 deficit in cash flow."

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1206, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 1206, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1261, by Representatives Bagnariol and Kopet (by Office of Program Planning and Fiscal Management request):

Abolishing the motor vehicle excise tax fund and providing for the distribution of motor vehicle excise taxes from the general fund.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1261 would be placed on third reading and final passage.

Mr. Bagnariol spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1261, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

House Bill No. 1261, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1292, by Representatives Kopet and Charette (by State Treasurer and Office of Program Planning and Fiscal Management request):

Abolishing war veterans' funds when no obligations remain payable therefrom.

The bill was read the second time.

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal for seventeenth day, 3rd. ex. sess., January 30, 1974.)

On motion of Mr. Warnke, the committee amendments were adopted.

Mr. Warnke moved adoption of the following amendment by Representatives Warnke, Ehlers, Gaspard, Beck, Smith, Bausch and Erickson:

On page 2, section 1, line 24 after "obligations" strike all the matter down to and including "accordingly." on line 27 and insert the following "for payment of veterans' bonuses payable from the war veterans' compensation fund are satisfied, such fund shall be available for support of operation, maintenance, and capital improvements of the state veterans' homes established pursuant to chapter 72.36 RCW and Article X, section 3 of the Constitution of this state."

Mr. Warnke spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Bagnariol.

Mr. Bagnariol: "When do you anticipate all of the obligations of this fund will be met?"

Mr. Warnke: "Representative Bagnariol, that will depend on a couple of bills that are floating here on extension of the bonuses to veterans in the state. And they anticipate this about 1980 or 1981."

Mr. Bagnariol: "As we heard in testimony in our committee, I believe that the Department of Social and Health Services is attempting to work out the financial problems at Orting and Retsil--not being sure at this point whether they will be successful. The only thing I really question is whether or not we want to sit here at this particular time, 5 or 6 or 7 years ahead of the time that money might be available and say that is how we want to spend it. We don't know whether it's too little or too much and I would think that our committee should look into this before we actually earmark the fund. What do you think about that?"

Mr. Warnke: "My first session of the legislature was 1965. In the January, 1965 session of the legislature we argued to try to obtain enough funds in the budget for the Orting and Retsil homes. It is true that perhaps we are looking a long way down the road to provide funding for these two homes, but as long as the Constitution states that we shall, and as long as the need is there for these people, I believe that we should, indicate the intent of this legislature that we are going to have a fund that will provide security, a place for the veterans of our state."

Mr. Kopet spoke against the amendment.

POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Charnley.

Mr. Charnley: "I understand that you are a member of the subcommittee of State Government Committee that has been looking into these veterans' homes. I wonder if you would comment to the body as to the effect that you see of this legislation in the light of your study and the facts that you have been gathering?"

Mr. Ehlers: "I would like to correct both Mr. Kopet and Mr. Warnke--I asked for the Attorney General's ruling on the constitutional responsibility of the state, and it is true that the Constitution calls for the care of Union soldiers and sailors. Subsequent to that there have been changes by statute which have updated it; however, in the mind of the Attorney General, we in fact, have a constitutional responsibility in this state to maintain a

home for the state militia. In other words, we have a constitutional responsibility for some veterans to have a home of some sort. As far as the funding, Representative Swayze and I were two legislators assigned to overlook the contract that was given to the Greenlee Company and since that time there has been a lot of publicity, etc., in the papers. Some of us have been looking into this, trying to find a solution on a low key basis. The funding right now to bring up the two veterans' homes, just to meet the minimum fire and safety protection, and I'm not talking about the state code, but just the basic code, is around \$3,000,000. There are other needs that deal with bringing up their operation, and frankly, just to sum up, that although it is a long time to 1981, I think Representative Warnke is right. I think now is the time to make that kind of commitment. It would be much easier over a period of the time to forget about that commitment and as we approach 1981, that need will probably still be there and we won't have forgotten it. I think now is the time to make that move. One last correction or clarification, is the fact that there are bills--I know there is one in State Government--which extend the bonus. There are those who are still on the waiting list for the bonus and as long as those bonuses are outstanding we will continue to pay them. When that need has been completed, then these moneys would be earmarked--it would have to go through appropriations process--but they would be earmarked for the two veterans' homes. I believe there is a need."

The Speaker assumed the Chair.

Mr. Charette spoke against the amendment, and Mr. Warnke spoke again in favor of it.

Mr. Shinpoch spoke against the amendment.

Mr. Curtis demanded the previous question, and the demand was sustained.

The amendment was not adopted.

House Bill No. 1292 was ordered engrossed.

The Speaker stated that with the consent of the House, Engrossed House Bill No. 1292 would be advanced to third reading and final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1292, and the bill passed the House by the following vote: Yeas, 86; nays, 12; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bausch, Beck, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen,

Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Rabel, Randall, Savage, Shinpoch, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Bender, Conner, Ehlers, Gaines, Johnson, Parker, Pullen, Schumaker, Smith, Williams, Wojahn.

Engrossed House Bill No. 1292, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1388, by Representative Van Dyk:

Making certain changes in the laws relating to food packaging.

The bill was read the second time.

The Speaker stated that with the consent of the House, House Bill No. 1388 would be advanced to third reading and final passage.

Representatives Van Dyk and Curtis spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1388, and the bill passed the House by the following vote: Yeas, 92; nays, 5; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Ehlers, Hurley, Smith, Williams.

Not voting: Representative Amen.

House Bill No. 1388, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1478, by Representatives Hoggins, Paris, O'Brien, Ceccarelli, Curtis, Amen, Jueling, Zimmerman, Eng, Conner, Leckenby, Chatalas, Maxie, Honan, Pullen, Hayner, Flanagan, Hurley, Bauer and Matthews:

Expanding the exemptions from the charitable solicitations law for charitable, religious or educational purposes.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal for seventeenth day, 3rd ex. sess. January 30, 1974.)

Mr. Smith moved adoption of the committee amendment and spoke in favor of it.

#### POINT OF INQUIRY

Mr. Smith yielded to question by Mrs. Hayner.

Mrs. Hayner: "Representative Smith, is this broad enough to exclude from the provisions of this act such organizations as Young Life where they do not meet on a regular basis?"

Mr. Smith: "Yes, such organizations would be excluded. I believe the intent was to exclude such organizations by raising the limit so that the money that they would be collecting would come within the limits requiring either registration or disclosure."

Mr. Hoggins spoke in favor of the committee amendment.

The committee amendment was adopted.

On motion of Mr. Smith, the committee amendment to the title was adopted.

House Bill No. 1478 was ordered engrossed.

The Speaker stated that with the consent of the House, Engrossed House Bill No. 1478 would be placed on third reading and final passage.

Mr. Hoggins spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1478, and the bill passed the

House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Planagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kopet.

Engrossed House Bill No. 1478, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1181, by Representatives Luders, Kopet, Haussler, Bauer, Fortson, Gaines, Gallagher, Hansen, Hurley, Knowles, May, McCormick and Schumaker:

Providing for the sale of certain second class shorelands.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments see Journal for seventeenth day, 3rd ex. sess., January 30, 1974.)

On motion of Mr. Martinis, the committee amendments were adopted.

House Bill No. 1181 was ordered engrossed.

The Speaker stated that with the consent of the House, Engrossed House Bill No. 1181 would be advanced to third reading and final passage.

Representatives Luders and Pardini spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1181, and the bill passed the House by the following vote: Yeas, 82; nays, 13; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson,

Blair, Bluechel, Brown, Ceccarelli, Charette, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, Kishimoto, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Matthews, May, McCormick, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Anderson, Charnley, Chatalas, Douthwaite, Hoggins, King, Kraabel, Lysen, Martinis, Moon, Rabel, Shinpoch, Zimmerman.

Not voting: Representatives Kopet, Maxie, Nelson.

Engrossed House Bill No. 1181, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

Please have the record show that I wished to vote "Yes" on House Bill No. 1181.

PEGGY JOAN MAXIE, 37th District.

Mr. O'Brien resumed the Chair.

HOUSE BILL NO. 393, by Representatives Bagnariol, Gaspard and Ceccarelli (by Department of General Administration request):

Providing for a corporation to sue or be sued in its corporate name.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendment, see Journal for seventeenth day, 3rd ex. sess., January 30, 1974.)

On motion of Mr. Ceccarelli, the committee amendment was adopted.

House Bill No. 393 was ordered engrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed House Bill No. 393 would be placed on third reading and final passage.

Mr. Ceccarelli spoke in favor of passage of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 393, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yeas: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nays: Representatives Jastad, Moon, Savage.

Not voting: Representatives Amen, Kopet.

Engrossed House Bill No. 393, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 631, by Representative Douthwaite:

Authorizing the director of fisheries to manage and regulate unclassified fish, shellfish and marine invertebrates.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 631 would be placed on third reading and final passage.

Mr. Douthwaite spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 631, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yeas: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen,

Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Amen, Kopet, Kuehnle.

House Bill No. 631, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1031, by Representatives Curtis, Kilbury, Hansen, Tilly and Morrison:

Adding new members to the agricultural pesticide advisory board.

The bill was read the second time.

On motion of Mr. Curtis, the following amendment by Representatives Curtis and Kilbury was adopted:

On page 1, section 1, line 24 following "include" insert "the director of the department of labor and industries or his duly authorized representative."

House Bill No. 1031 was ordered engrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed House Bill No. 1031 would be advanced to third reading and final passage.

Mr. Curtis spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1031, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Eikenberry.

Not voting: Representatives Kopet, Nelson.

Engrossed House Bill No. 1031, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1065, by Representatives Hayner, Eikenberry, Knowles and Pullen:

Requiring that a copy of every adverse decision and order in administrative proceedings be transmitted to the party's attorney of record.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1065 would be advanced to third reading and final passage.

Mrs. Hayner spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1065, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Lysen.

House Bill No. 1065, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1118, by Committee on Local Government (Endorsed by Representatives Blair, Haussler, Kalich, Amen, Paris, McCormick, North [Lois], Laughlin, Nelson, Smythe, Kuehnle, Patterson, North [Frances] and Zimmerman:

Permitting banks to advise municipal employee retirement systems in regard to stock investments.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1118 would be placed on third reading and final passage.

Mr. Haussler spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1118, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Berentson.

House Bill No. 1118, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, consideration of HOUSE BILL NO. 1187 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 1233, by Representatives Sommers, Flanagan and Douthwaite:

Authorizing tax refunds based on assessed value reductions and prohibiting refunds of less than two dollars.

The bill was read the second time.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendment see Journal for seventeenth day, 3rd ex. sess., January 30, 1974.)

On motion of Ms. Sommers, the committee amendment was adopted.

House Bill No. 1233 was ordered engrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed House Bill No. 1233 would be placed on third reading and final passage.

Ms. Sommers spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1233, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Leckenby.

Engrossed House Bill No. 1233, having received the constitutional majority was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1240, by Representatives Brown, Amen and Haussler:

Removing certain meat dealer fees.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1240 would be placed on third reading and final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1240, and the bill passed the House by the following vote: Yeas, 90; nays, 5; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson,

Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Julin, Kalich, Kelley, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Zimmerman.

Voting nay: Representatives Johnson, King, Lysen, Moon, Wojahn.

Not voting: Representatives Leckenby, Perry, and Mr. Speaker.

House Bill No. 1240, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1259, by Representatives Charette, Knowles and Clemente:

Relating to the construction of statutes.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1259 would be placed on third reading and final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1259, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Leckenby, and Mr. Speaker.

House Bill No. 1259, having received the constitutional majority, was declared passed. There being no objection,

the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1276, by Representatives Charette, Eikenberry and Kelley (by Attorney General request):

Defining exempted transactions under the consumer protection act.

The bill was read the second time.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, House Bill No. 1276 would be placed on third reading and final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1276, and the bill passed the House by the following vote: Yeas, 86; nays, 6; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Garrett, King, Kuehnle, Moon, Schumaker, Zimmerman.

Not voting: Representatives Berentson, Chatalas, Leckenby, Martinis, Matthews, Randall.

House Bill No. 1276, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1283, by Representatives Laughlin, Bauer, Zimmerman, Paris, Thompson, Kilbury, Tilly, Kishimoto, Haussler, Patterson and Luders:

Providing for a compact between Washington, Oregon and Idaho relating to Columbia River anadromous fish.

#### MOTION

On motion of Mr. Thompson, further consideration of House Bill No. 1283 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 1295, by Representatives Perry, Kraabel, Charnley, Kishimoto, Rabel, Ceccarelli and Van Dyk:

Providing for the establishment, improvement, and upgrading of bicycle routes.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal, sixteenth day, 3rd ex. sess., January 29, 1974.)

On motion of Mr. Charnley, the committee amendments were adopted.

On motion of Mr. Douthwaite, the following amendments were adopted:

On page 4, following line 22 add a new section as follows:

"Sec. 13. Section 2, chapter 103, Laws of 1972 ex. sess. and RCW 47.30.030 are each amended to read as follows:

Where an existing highway severs, or where the right-of-way of an existing highway accommodates or would accommodate, or where the separation of motor vehicle traffic from pedestrians, equestrians, or bicyclists will materially benefit the safety of the traveling public by the provision ((within the right-of-way)) of facilities for pedestrians, equestrians, or bicyclists which are part of a comprehensive trail plan adopted by federal, state, or local governmental authority having jurisdiction over the trail, the state highway commission, or the county or city having jurisdiction over the highway, road, or street, or facility is authorized to expend reasonable amounts out of the funds made available to them, according to the provisions of RCW 46.68.100 as necessary for the planning, accommodation, establishment, and maintenance of such facilities."

Renumber the remaining section consecutively.

On page 1, line 8 of the title after "RCW;" insert "amending section 2, chapter 103, Laws of 1972 ex. sess. and RCW 47.30.030."

House Bill No. 1295 was ordered engrossed.

The Speaker (Mr. O'Brien presiding) stated that with the consent of the House, Engrossed House Bill No. 1295 would be placed on third reading and final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1295, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette,



Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Leckenby.

Engrossed House Bill No. 1295, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, the House advanced to the seventh order of business, for the purpose of immediately considering Substitute House Bill No. 1049.

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 1049, by Committee on Labor (Originally sponsored by Representatives Parker and Savage):

Requiring minimum standards for self-insurers with regard to industrial insurance to be set by the director of labor and industries.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1049, and the bill passed the House by the following vote: Yeas, 57; nays, 40; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagariol, Bauer, Bausch, Beck, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hendricks, Honan, Johnson, Juelling, Kelley, Kilbury, King, Kishimoto, Laughlin, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Douthwaite, Eikenberry, Eng, Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hoggins, Hurley, Jastad, Julin, Kalich, Knowles, Kopet, Kraabel, Kuehnle, Luders, Matthews,

Morrison, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson.

Not voting: Representative Leckenby.

Substitute House Bill No. 1049, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Charette, all bills passed today were ordered transmitted immediately to the Senate.

On motion of Mr. Charette, all bills remaining on the calendar were referred to the Committee on Rules.

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

On motion of Mr. Thompson, HOUSE BILL NO. 1037 was rereferred from the Committee on Ways and Means - Appropriations to the Committee on Ways and Means - Revenue.

On motion of Mr. Thompson, HOUSE BILL NO. 1502 was rereferred from the Committee on Labor to the Committee on Ways and Means - Revenue.

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Friday, February 1, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## NINETEENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 1, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Kraabel, Perry and Smith.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Arthur M. McGee of the Gloria Dei Lutheran Church of Kelso.

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

## MESSAGE FROM THE SENATE

January 31, 1974

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3049,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 3049, by Committee on State Government (Originally sponsored by Senators Dore, Marsh and Jones):

AN ACT Relating to school districts; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and declaring an emergency.

To Committee on Ways and Means - Appropriations.

## REPORTS OF STANDING COMMITTEES

January 30, 1974

HOUSE BILL NO. 1371, Prime sponsor: Representative Charette, relating to the Washington state data processing authority, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike all matter after the enacting clause and insert:

"NEW SECTION. Section 1. There is added to chapter 219, Laws of 1973 1st ex. sess. and to chapter 43.105 RCW a new section to read as follows:

The data processing authority may not require the superintendent of public instruction to consolidate any data processing facilities or computer resources until: (1) after adjournment of the 1975 regular session of the legislature; and (2) after the authority has transmitted to the legislature the Washington state comprehensive data processing plan required to be so transmitted pursuant to section 7, chapter 219, Laws of 1973 first extraordinary session."

On line 1 of the title after "authority" insert "; adding a new section to chapter 219, Laws of 1973 1st ex. sess. and to chapter 43.105 RCW"

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Ehlers, Gaines, Hendricks, Kopet, Lysen, Moon, Thompson.

January 30, 1974

ENGROSSED SENATE BILL NO. 2046. Prime sponsor: Senator Scott, repealing the host-guest statute, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Hayner, Julin, Shinpoch, Smith, Sommers.

January 29, 1974

SUBSTITUTE SENATE BILL NO. 2120. Prime sponsor: Senator Sandison, imposing additional duties on council on higher education relating to technological education, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Maxie, Chairwoman; Goltz, Vice Chairman; Anderson, Erickson, Freeman, Rabel, Valle, Wojahn.

January 29, 1974

SENATE BILL NO. 2574. Prime sponsor: Senator Guess, providing for master degree of social work at Eastern Washington State College, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Maxie, Chairwoman; Goltz, Vice Chairman; Anderson, Benitz, Erickson, Knowles, Patterson, Rabel, Valle.

January 30, 1974

ENGROSSED SENATE BILL NO. 2961. Prime sponsor: Senator Walgren, allowing prosecuting attorneys to employ legal interns, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Eikenberry, Hayner, Julin, Maxie, Shinpoch, Smith, Sommers.

January 30, 1974

ENGROSSED SENATE BILL NO. 2962, Prime sponsor: Senator Walgren, allowing city attorneys to employ legal interns, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Eikenberry, Hayner, Julin, Maxie, Shinpoch, Smith, Sommers.

January 31, 1974

ENGROSSED SENATE JOINT MEMORIAL NO. 134, Prime sponsor: Senator Talley, requesting the federal government to protect the Washington state fisheries resource, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Anderson, Clemente, Conner, Flanagan, Gilleland, Hansen, Hansey, Haussler, Julin, Kalich, Kilbury, Kishimoto, Schumaker.

MOTION

On motion of Mr. Thompson, all standing committee reports listed on today's fifth order of business were referred to the Committee on Rules for second reading, except House Bill No. 1371 to be rereferred to the Committee on Ways and Means - Appropriations.

MOTION

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

RESOLUTION

HOUSE RESOLUTION NO. 74-162, by Representatives Eng, Maxie, O'Brien, Conner and Chatalas:

WHEREAS, The Central Area Mental Health Center, a private, nonprofit corporation established in 1966, provides low cost, immediately accessible counseling and consultation service to an area of Seattle, Washington, which has a high concentration of nonwhite, low income residents; and

WHEREAS, The CAMHC functions under the philosophy of a neighborhood based, controlled, and operated program; and

WHEREAS, The CAMHC provides services including consultation to community agencies and schools; diagnosis and evaluation; individual, group, and family therapy; marital counseling; tutoring; budget management; and information and referral service; and

WHEREAS, The CAMHC services are performed in large part by volunteers, one-half of whom represent the professions of psychiatry, psychology, and social work, under the supervision of CAMHC personnel; and

WHEREAS, The CAMHC is in the process of raising funds to carry on its important services to the community; and

WHEREAS, The CAMHC is celebrating Central Area Mental Health Week;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Central Area Mental Health Clinic is congratulated on its fine service to the residents of the Central Area; and

BE IT FURTHER RESOLVED, That the Central Area Mental Health Center is wished continued success and growth in its fine service to the community; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives shall transmit a copy of this Resolution to the Executive Director, the Board of Trustees, the Personnel, and the volunteers of the Central Area Mental Health Center.

Mr. Eng moved adoption of the resolution and spoke in its favor.

The resolution was adopted.

#### MOTIONS

On motion of Mr. Thompson, SENATE BILL NO. 2408 was rereferred from the Committee on Local Government to the Committee on State Government.

On motion of Mr. Thompson, SENATE BILL NO. 3023 was rereferred from the Committee on Ecology to the Committee on Agriculture.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTION

On motion of Mr. Thompson, the House reverted to the third order of business.

#### MESSAGES FROM THE SENATE

January 31, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED 2ND	SUBSTITUTE	SENATE BILL NO.	2186,
ENGROSSED	SUBSTITUTE	SENATE BILL NO.	2429,
	ENGROSSED	SENATE BILL NO.	2904,
		SENATE BILL NO.	3027,
	ENGROSSED	SENATE BILL NO.	3031,
	ENGROSSED	SENATE BILL NO.	3039,
	ENGROSSED	SENATE BILL NO.	3040,
	ENGROSSED	SENATE BILL NO.	3044,

SENATE BILL NO. 3055,  
 ENGROSSED SENATE BILL NO. 3058,  
 ENGROSSED SENATE BILL NO. 3059,  
 ENGROSSED SENATE BILL NO. 3064,  
 ENGROSSED SENATE BILL NO. 3116,  
 SUBSTITUTE SENATE BILL NO. 3117,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3146,  
 SENATE BILL NO. 3147,  
 ENGROSSED SENATE BILL NO. 3181,  
 SENATE BILL NO. 3189,  
 SENATE BILL NO. 3203,  
 ENGROSSED SENATE BILL NO. 3206,  
 ENGROSSED SENATE BILL NO. 3229,  
 ENGROSSED SENATE BILL NO. 3235,  
 SUBSTITUTE SENATE BILL NO. 3312,  
 ENGROSSED SENATE BILL NO. 3324,  
 ENGROSSED SENATE BILL NO. 3351,  
 SENATE JOINT MEMORIAL NO. 131,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

January 31, 1974

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 147,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SECOND SUBSTITUTE -SENATE BILL NO. 2186. by Committee on Social and Health Services (Originally sponsored by Senators Bottiger, Gardner and Francis):

AN ACT Relating to and regulating the practice of naturopathy; adding a new chapter to Title 18 RCW; repealing section 13, chapter 36, Laws of 1919 and RCW 18.36.010; repealing section 12, chapter 36, Laws of 1919 and RCW 18.36.020; repealing section 8, chapter 36, Laws of 1919 and RCW 18.36.030; repealing section 3, chapter 36, Laws of 1919 and RCW 18.36.040; repealing section 11, chapter 36, Laws of 1919 and RCW 18.36.050; repealing section 4, chapter 36, Laws of 1919 and RCW 18.36.060; repealing section 6, chapter 36, Laws of 1919 and RCW 18.36.110; repealing section 1, chapter 83, Laws of 1953, section 7, chapter 266, Laws of 1971 ex. sess. and RCW 18.36.115; repealing section 14, chapter 36, Laws of 1919 and RCW 18.36.120; repealing section 7, chapter 36, Laws of 1919 and RCW 18.36.130; repealing section 10, chapter 36, Laws of 1919 and RCW 18.36.140; repealing section 9, chapter 36, Laws of 1919 and RCW 18.36.150; repealing section 17, chapter 36, Laws of 1919 and RCW 18.36.165; repealing section 1, chapter 10, Laws of 1925 and RCW 18.36.170; repealing section 2, chapter 10, Laws of 1925 and RCW 18.36.200; repealing section 3, chapter 10, Laws of 1925 and RCW 18.36.210; repealing section 4, chapter 10, Laws of 1925 and RCW 18.36.220; repealing section 5, chapter 10, Laws of 1925 and RCW

18.36.230; repealing section 6, chapter 10, Laws of 1925 and RCW 18.36.240; repealing section 7, chapter 10, Laws of 1925 and RCW 18.36.245; and providing penalties.

To Committee on Social and Health Services.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2429, by Committee on Constitution and Elections (Originally sponsored by Senators Ridder, Grant and Canfield):

AN ACT Relating to elections; amending section 29.36.010, chapter 9, Laws of 1965 as amended by section 37, chapter 202, Laws of 1971 ex. sess. and RCW 29.36.010; amending section 6, chapter 109, Laws of 1967 ex. sess. and RCW 29.36.120; and amending section 8, chapter 109, Laws of 1969 ex. sess. and RCW 29.36.140.

To Committee on Constitution and Elections.

ENGROSSED SENATE BILL NO. 2904, by Senator Dore:

AN ACT Relating to savings and loan associations; and amending section 7, chapter 280, Laws of 1959 and section 33.08.110 RCW.

To Committee on Financial Institutions.

SENATE BILL NO. 3027, by Senators Talley, Peterson (Ted) and Connor:

AN ACT Relating to public employment; and amending section 3, chapter 108, Laws of 1967 ex. sess. as amended by section 2, chapter 131, Laws of 1973 and RCW 41.56.030.

To Committee on Labor.

ENGROSSED SENATE BILL NO. 3031, by Senator Rasmussen:

AN ACT Relating to legal holidays; amending section 1, chapter 51, Laws of 1927 as last amended by section 1, chapter 1, Laws of 1973 2nd ex. sess. and RCW 1.16.050.

To Committee on State Government.

ENGROSSED SENATE BILL NO. 3039, by Senator Day:

AN ACT Relating to parks and state lands; and adding a new section to chapter 39, Laws of 1953 and to chapter 43.51 RCW.

To Committee on Natural Resources.



ENGROSSED SENATE BILL NO. 3040, by Senators Day, Jones, Van Hollebeke and Ridder:

AN ACT Relating to the public health and to hospitals, health care facilities and the equipment thereof; creating the Washington health care facilities authority, prescribing its powers and duties, authorizing the issuance thereby of bonds and other obligations and providing their terms and security; and adding a new chapter to Title 70 RCW.

To Committee on Social and Health Services.

ENGROSSED SENATE BILL NO. 3044, by Senator Grant:

AN ACT Relating to elections; amending section 29.13.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.13.010; and amending section 29.13.020, chapter 9, Laws of 1965 as amended by section 3, chapter 123, Laws of 1965 and RCW 29.13.020.

To Committee on Constitution and Elections.

SENATE BILL NO. 3055, by Senators Odegard and Donohue:

AN ACT Relating to revenue and taxation; adding a new section to chapter 87, Laws of 1970 ex. sess. and to chapter 84.34 RCW; and declaring an emergency.

To Committee on Ways and Means - Revenue.

ENGROSSED SENATE BILL NO. 3058, by Senators von Reichbauer, Clarke and Bottiger:

AN ACT Relating to the Washington state school directors' association; and amending section 28A.61.030, chapter 223, Laws of 1969 ex. sess. as amended by section 4, chapter 184, Laws of 1969 ex. sess. and RCW 28A.61.030.

To Committee on Education.

ENGROSSED SENATE BILL NO. 3059, by Senators Walgren, Whetzel and Murray:

AN ACT Relating to airports; and adding a new section to chapter 53.08 RCW.

To Committee on Local Government.

ENGROSSED SENATE BILL NO. 3064, by Senators Marsh and Atwood:

AN ACT Relating to state government; creating the data processing revolving fund; adding a new section to chapter 43.105 RCW; and declaring an emergency.

To Committee on Ways and Means - Appropriations.

ENGROSSED SENATE BILL NO. 3116, by Senators Walgren and Peterson (Lowell):

AN ACT Relating to commercial herring fishing; and amending section 4, chapter 173, Laws of 1973 1st ex. sess. and RCW 75.28.420.

To Committee on Natural Resources.

SUBSTITUTE SENATE BILL NO. 3117, by Committee on State Government (Originally sponsored by Senators Newschwander and Stortini):

AN ACT Relating to alcoholic beverages; and adding a new section to chapter 66.24 RCW.

To Committee on State Government.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3146, by Committee on State Government (Originally sponsored by Senators Whetzel, Durkan and Dore):

AN ACT Relating to public buildings; adding a new section to chapter 43.17 RCW; adding a new section to chapter 43.19 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28A.58 RCW; and creating a new section.

To Committee on State Government.

SENATE BILL NO. 3147, by Senators Walgren and Woody:

AN ACT Relating to Washington state ferries; adding a new section to chapter 47.60 RCW; and declaring an emergency.

To Committee on Transportation and Utilities.

ENGROSSED SENATE BILL NO. 3181, by Senators Odegaard, Woody and Atwood:

AN ACT Relating to superior courts; and amending section 4, chapter 125, Laws of 1951 as last amended by section 4, chapter 83, Laws of 1971 ex. sess. and RCW 2.08.062; and amending section 2, chapter 19, Laws of 1955 as

last amended by section 3, chapter 83, Laws of 1971, 1st ex. sess. and RCW 2.08.064.

To Committee on Judiciary.

SENATE BILL NO. 3189, by Senator Lewis (Harry):

AN ACT Relating to revenue and taxation; exempting certain leasehold estates from property taxation; and amending section 11, chapter 187, Laws of 1973 1st ex. sess. and RCW 84.36.450.

To Committee on Ways and Means - Revenue.

SENATE BILL NO. 3203, by Senators Henry and Twigg (by Utilities and Transportation Commission request):

AN ACT Relating to regulation of transportation; amending section 9, chapter 59, Laws of 1963 and RCW 81.80.371; and providing penalties.

To Committee on Transportation and Utilities.

ENGROSSED SENATE BILL NO. 3206, by Senators Metcalf, Francis and Van Hollebeke:

AN ACT Relating to charitable solicitations; adding a new section to chapter 13, Laws of 1973 1st ex. sess. and to chapter 19.09 RCW; and declaring an emergency.

To Committee on Judiciary.

ENGROSSED SENATE BILL NO. 3229, by Senator Durkan:

AN ACT Relating to metropolitan municipal corporations; amending section 35.58.010, chapter 7, Laws of 1965 and RCW 35.58.010; amending section 35.58.020, chapter 7, Laws of 1965 as amended by section 2, chapter 303, Laws of 1971 ex. sess. and RCW 35.58.020; amending section 35.58.050, chapter 7, Laws of 1965 and RCW 35.58.050; amending section 35.58.080, chapter 7, Laws of 1965 and RCW 35.58.080; amending section 35.58.120, chapter 7, Laws of 1965 as last amended by section 5, chapter 303, Laws of 1971 ex. sess. and RCW 35.58.120; amending section 35.58.200, chapter 7, Laws of 1965 as amended by section 7, chapter 303, Laws of 1971 ex. sess. and RCW 35.58.200; amending section 35.58.210, chapter 7, Laws of 1965 and RCW 35.58.210; amending section 35.58.460, chapter 7, Laws of 1965 as last amended by section 39, chapter 56, Laws of 1970 ex. sess. and RCW 35.58.460; creating a new section; and declaring an emergency.

To Committee on Ecology.

ENGROSSED SENATE BILL NO. 3235, by Senators Rasmussen, Woody, von Reichbauer, Ridder, Knoblauch and Walgren:

AN ACT Relating to minimum wages; amending section 1, chapter 294, Laws of 1959 as amended by section 2, chapter 18, Laws of 1961 ex. sess. and RCW 49.46.010.

To Committee on Labor.

SUBSTITUTE SENATE BILL NO. 3312, by Committee on Judiciary (Originally sponsored by Senators Day and Francis):

AN ACT Relating to the criminally insane; amending section 1, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.010; amending section 2, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.020; amending section 3, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.030; amending section 4, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.040; amending section 5, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.050; amending section 6, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.060; amending section 8, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.080; amending section 9, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.090; amending section 10, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.100; amending section 11, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.110; amending section 12, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.120; amending section 14, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.140; amending section 15, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.150; amending section 18, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.180; amending section 19, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.190; amending section 20, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.200; amending section 22, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.220; and amending section 23, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.230.

To Committee on Judiciary.

ENGROSSED SENATE BILL NO. 3324, by Senators Lewis (Harry) and Rasmussen:

AN ACT Relating to state government; and amending section 2, chapter 79, Laws of 1921 and RCW 4.92.070.

To Committee on State Government.

ENGROSSED SENATE BILL NO. 3351, by Senator Day:

AN ACT Relating to persons with health problems and designated as mentally retarded or developmentally disabled, or both; amending section 4, chapter 110,

Laws of 1967 ex. sess. and RCW 71.20.040; amending section 5, chapter 110, Laws of 1967 ex. sess. and RCW 71.20.050; amending section 6, chapter 110, Laws of 1967 ex. sess. and RCW 71.20.060; amending section 7, chapter 110, Laws of 1967 ex. sess. and RCW 71.20.070; amending section 9, chapter 110, Laws of 1967 ex. sess. and RCW 71.20.090; amending section 16, chapter 110, Laws of 1967 ex. sess. as last amended by section 85, chapter 195, Laws of 1973 1st ex. sess. and RCW 71.20.110; amending section 1, chapter 251, Laws of 1961 as amended by section 1, chapter 34, Laws of 1965 and RCW 72.33.800; amending section 2, chapter 251, Laws of 1961 as amended by section 2, chapter 34, Laws of 1965 and RCW 72.33.805; amending section 3, chapter 251, Laws of 1961 and RCW 72.33.810; amending section 4, chapter 251, Laws of 1961 as amended by section 3, chapter 34, Laws of 1965 and RCW 72.33.815; and adding new sections to chapter 71.20 RCW.

To Committee on Social and Health Services.

SENATE JOINT MEMORIAL NO. 131, by Senators Mardesich, Woody and Atwood:

Requesting that the International Joint Commission delay any decision regarding Point Roberts until after hearing the recommendations of the Washington state legislature.

To Committee on Parks and Recreation.

SENATE CONCURRENT RESOLUTION NO. 147, by Senators Talley and Odegaard:

Authorizing study on Wahkiakum-Cowlitz county line park.

To Committee on Parks and Recreation.

#### MOTION

On motion of Mr. Thompson, all bills, memorials and resolutions listed on the supplemental introduction sheet were referred to the committees designated.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House Dr. Shlomo Tadmor, Consul General of Israel for the Northern United States, and requested that Representatives Perry, Bauer, Bluechel and Flanagan escort him to the rostrum.

Dr. Tadmor addressed the House, and the Speaker (Mr. O'Brien presiding) asked the escort committee to escort him from the bar of the House.

## MOTION

On motion of Mr. Thompson, the House adjourned until 10:00 a.m., Saturday, February 2, 1974.

LEONARD A. SAWYER, Speaker.  
DEAN R. FOSTER, Chief Clerk.

TWENTIETH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Saturday, February 2, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Hansey and Morrison, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Pastor George M. Mitchell of the First Christian Church of Olympia.

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

MESSAGE FROM THE SENATE

February 1, 1974

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 150,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORTS OF STANDING COMMITTEES

January 31, 1974

HOUSE BILL NO. 29, Prime sponsor: Representative Gallagher, providing for a state lottery, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Bausch, Blair, Charette, Curtis, Ehlers, Gaspard, Hoggins, Luders, Smith, Warnke.

MINORITY recommendation: Do not pass. Signed by Representative Zimmerman,

February 1, 1974

SUBSTITUTE SENATE BILL NO. 2017, Prime sponsor: Senator Bailey, making certain changes in the veterans' bonus law, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Ehlers, Hendricks, Hurley, Lysen, Moon, Thompson.

February 1, 1974

REENGROSSED SENATE BILL NO. 2095, Prime sponsor: Senator Bailey, allowing port districts to select a treasurer other than the county treasurer, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Amen, Blair, Honan, Kishimoto, Kuehnle, Laughlin, Martinis, McCormick, Nelson, North (Frances), Paris, Patterson, Sommers, Zimmerman.

February 1, 1974

REENGROSSED SUBSTITUTE SENATE BILL NO. 2132, Prime sponsor: Senator Murray, providing for a state criminal justice training commission, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Amen, Blair, Honan, Kishimoto, Kuehnle, Laughlin, Martinis, McCormick, North (Frances), Paris, Patterson, Sommers.

February 1, 1974

REENGROSSED SENATE BILL NO. 2235, Prime sponsor: Senator Walgren, requiring precinct officers to appear on absentee ballots, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Conner, Eng, Erickson, Knowles.

February 1, 1974

ENGROSSED SUBSTITUTE SENATE BILL NO. 2429, Prime sponsor: Senator Ridder, revising conditions for issuance of absentee ballots, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Brown, Conner, Eng, Erickson, Hayner, Knowles, Rabel.



February 1, 1974

SENATE BILL NO. 2937, Prime sponsor: Senator Whetzel, authorizing cities to expend funds for legal aid, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Blair, Honan, Kishimoto, Laughlin, McCormick, North (Frances), Paris, Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Amen, Kuehne.

February 1, 1974

ENGROSSED SENATE BILL NO. 3003, Prime sponsor: Senator Grant, making general revisions to the election laws, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendment:

On page 5, section 6, beginning on line 8 of the engrossed bill, being line 7 of the printed bill, after "send" strike "whenever possible to do so without the payment of postage."

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Brown, Eng, Erickson, Maxie, Rabel.

February 1, 1974

SENATE BILL NO. 3029, Prime sponsor: Senator Marsh, enacting a savings clause for the dissolution of marriage act, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Hayner, Julin, North (Lois), Sommers.

February 1, 1974

SUBSTITUTE SENATE BILL NO. 3032, Prime sponsor: Senator von Reichbauer, authorizing acceptance, management and expenditure by school district boards of directors of gifts and conveyances, reported by Committee on Education.

MAJORITY recommendation: Do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Eng, Fortson, Hayner, Hendricks, Hoggins, Kishimoto.

February 1, 1974

SUBSTITUTE SENATE BILL NO. 3049, Prime sponsor: Senator Dore, authorizing additional means of funding public employee deferred compensation plans, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Eikenberry, Leckenby, Luders, Matthews, Moon, Pardini, Parker, Polk, Van Dyk.

February 1, 1974

ENGROSSED SENATE BILL NO. 3052, Prime sponsor: Senator Francis, protecting rights in sound recordings, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bluechel, Curtis, Ehlers, Hendricks, Hurley, Kopet, Lysen, Moon, Polk.

February 1, 1974

ENGROSSED SENATE BILL NO. 3058, Prime sponsor: Senator von Reichbauer, authorizing added functions for the school directors' association and authorizing school districts to contract with the association in relation to its performance of certain functions, reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 22 of the engrossed bill after "agencies" insert "intermediate school districts."

Signed by Representatives Ehlers, Vice Chairman; Barnes, Brown, Clemente, Fortson, Hayner, Hendricks, Kishimoto, Pullen, Tilly.

February 1, 1974

SENATE BILL NO. 3077, Prime sponsor: Senator Jolly, requiring identification of horses under certain conditions, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Hansey, Haussler, Laughlin, Schumaker, Tilly, Van Dyk.

February 1, 1974

ENGROSSED SENATE BILL NO. 3078, Prime sponsor: Senator Jolly, making changes in the laws relating to commission merchants, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Amen, Benitz, Hansey, Haussler, Laughlin, Schumaker.

February 1, 1974

SENATE BILL NO. 3079, Prime sponsor: Senator Jolly, implementing the laws relating to estrays, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 14 after "agriculture" insert "PROVIDED FURTHER, That cattle of any age may run at large in a range area, as provided in chapter 16.24 RCW, without a herder"

Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Hansey, Haussler, Laughlin, Schumaker, Tilly, Van Dyk.

February 1, 1974

ENGROSSED SENATE BILL NO. 3122, Prime sponsor: Senator Twigg, making class A, B, C, D, or H licenses at Expo 74 valid for one hundred ninety days without renewal, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Curtis, Hendricks, Hurley, Kopet, Moon, Polk.

February 1, 1974

SUBSTITUTE SENATE BILL NO. 3145, Prime sponsor: Senator Dore, permitting the establishment of satellite banking facilities, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Caccarelli, Chairman; Gaspard, Vice Chairman; Blair, Leckenby, Luders, Matthews, Moon, Pardini, Parker, Polk, Van Dyk.

February 1, 1974

SENATE BILL NO. 3184, Prime sponsor: Senator Connor, permitting certain transfers between designated public retirement systems, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Deuthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Blair, Honan, Kuehne, McCormick, North (Frances), Sommers, Zimmerman.

#### MOTION

On motion of Mr. Thompson, all bills listed on the agenda under the fifth order of business were referred to the Committee on Rules for second reading with the

exception of SUBSTITUTE SENATE BILL NO. 2017, to be rereferred to the Committee on Ways and Means - Appropriations, and ENGROSSED SENATE BILL NO. 3058 to be rereferred to the Committee on Education.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) appointed a special committee consisting of Representatives Zimmerman and Bauer, and asked them to escort Representative Eugene L. Laughlin to the rostrum.

The Speaker (Mr. O'Brien presiding) presented Representative Laughlin with a Teachers' Medal and plaque awarded to him by the Freedom Foundation of Valley Forge, for professional conduct for outstanding achievement in the fundamental rights of freedom.

The Speaker (Mr. O'Brien presiding) asked the escort committee to escort Representative Laughlin from the rostrum.

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

The Speaker called the House to order.

#### SECOND READING

HOUSE BILL NO. 466, by Representatives Gilleland, Beck, Berentson, Conner, Hansey and Freeman:

Making it a misdemeanor to operate a vehicle with license plates or tabs not assigned to it.

The bill was read the second time.

Mr. Matthews moved adoption of the following amendment: On page 1, after section 1 add a new section as follows:

"NEW SECTION. Sec. 2. There is added to chapter 82.44 RCW a new section to read as follows:

Where the excise tax levied pursuant to RCW 82.44.020 has been paid on a motor vehicle which is subsequently destroyed or rendered permanently inoperable, the registered owner of the motor vehicle may apply to the department of motor vehicles for a partial refund of tax, supplying such proof of destruction or inoperability as the department of motor vehicles may by regulation require. The refund shall be a sum equal to one-twelfth of the yearly tax paid times the number of months remaining in the tax year after the month in which the vehicle was destroyed or rendered inoperable. The department shall certify the amount of refund to the state treasurer. No refund of tax shall be allowed unless application for the refund has been filed with the department within thirteen months after the tax was paid.

Refunds made under this section shall be deducted from the balance in the motor vehicle excise fund prior to fund distribution."

Mr. Matthews spoke in favor of the amendment, and Mr. Perry spoke against it.

The amendment was not adopted.

Mr. Nelson moved adoption of the following amendment by Representatives Nelson and Kuehnle:

On page 1, after line 15 insert a new section as follows:

"Sec. 2. Section 7, chapter 200, Laws of 1973 1st ex. sess. and RCW 46.16.590 are each amended to read as follows:

In addition, to the regular registration fee, and any other fees and taxes required to be paid upon registration, the applicant shall be charged a fee of thirty dollars; PROVIDED, That any person licensing their car pursuant to RCW 46.16.310 prior to February 1, 1973 shall be exempt from the requirements of this fee. In addition to the regular renewal fee, and in addition to any other fees and taxes required to be paid, the applicant for a renewal of such plates shall be charged an additional fee of twenty dollars; PROVIDED, That any person licensing their car pursuant to RCW 46.16.310 prior to February 1, 1973 shall be exempt from the requirements of this fee."

Mr. Nelson spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Martinis, was it your feeling that the legislative intent contained in the 1973 vanity license plate law, RCW 46.16.590, was to require previous licensees, under RCW 46.16.315, to pay the \$20 renewal fee required under the new statute or in the alternative, to surrender those plates?"

Mr. Martinis: "The intent of the legislation was to eliminate that program which you speak to, and the program was eliminated. The fee in the program was a \$30 fee only to buy a license plate out of sequence. That is all it did. It was not really a vanity plate. I guess I can express my intent as floor leader on the bill; it was to discontinue the program, but not to take the normal license plates away from these people--to discontinue the program of issuing this type of license plate on this basis. This plate that you speak to is the normal license plate that we all have on our cars, but if someone wished to take a license plate or number out of sequence, I would say that they now would have to go into the vanity plate program. But to take those plates away that were issued under the old program was not my understanding."

With the permission of the House, Mr. Nelson withdrew the amendment.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 466 was placed on final passage.

Representatives Beck and Gilleland spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 466, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hansey, Morrison.

House Bill No. 466, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
SENATE CONCURRENT RESOLUTION NO. 150.

#### SPEAKER'S PRIVILEGE

The Speaker recognized within the bar of the House Representative Carl H. Gustafson, Majority Leader of the House of Representatives of Colorado, and asked Representatives Pardini, Curtis and Charette to escort him to the rostrum.

Representative Gustafson addressed the House, and the Speaker asked the escort committee to escort him from the rostrum.

HOUSE BILL NO. 1024, by Representatives Fortson, Bender, Clemente, North (Frances), Hansen, Pullen and Van Dyk:

Exempting community property from inheritance taxes when transferred to the surviving spouse.

The bill was read the second time.

Mrs. Fortson moved adoption of the following amendment: On page 1, after the enacting clause strike the remainder of the bill and insert as follows:

"Section 1. Section 83.08.020, chapter 15, Laws of 1961 and RCW 83.08.020 are each amended to read as follows: Any devise, bequest, legacy, gift or beneficial interest to any property or income therefrom which shall pass to any lineal ancestor, lineal descendant, husband, wife, stepchild or lineal descendant of a stepchild, adopted child or lineal descendant of an adopted child, adopted child of the lineal descendant, son-in-law, or daughter-in-law of the decedent is denominated class A. On any amount passing to class A up to and including twenty-five thousand dollars, one percent; on any amount in excess of twenty-five thousand dollars up to and including fifty thousand dollars, two percent; on any amount in excess of fifty thousand dollars up to and including seventy-five thousand dollars, three percent; on any amount in excess of seventy-five thousand dollars up to and including one hundred thousand dollars, four percent; on any amount in excess of one hundred thousand dollars up to and including two hundred thousand dollars, seven percent; on any amount in excess of two hundred thousand dollars up to and including five hundred thousand dollars, nine percent; on any amount in excess of five hundred thousand dollars, ten percent: PROVIDED, That except as otherwise provided by statute there shall be allowed as an exemption to class A the following amounts: (A-1) Five thousand dollars of any amount passing to class A, and in addition thereto (A-2) ~~(five)~~ forty-five thousand dollars for the surviving spouse and five thousand dollars for each living child born prior to the death of the decedent, stepchild, or adopted child; and in addition thereto (A-3) five thousand dollars for the living descendants of any deceased child, stepchild, or adopted child per stirpes and not per capita. The exemptions fixed by (A-2) and (A-3) shall be allowed regardless of the amounts passing to the persons named therein. If no person in class A as defined in (A-2) and (A-3) survives the decedent then there shall be allowed as an additional exemption to class A the sum of five thousand dollars. All of the amounts specified in A-1, A-2 and A-3 shall be allowed as exemptions to class A as a whole and not to the persons mentioned therein, which exemptions shall include all allowances in lieu of homestead and all family allowances in excess of one thousand dollars.

In computing the tax liability under class A the aggregate amount of the exemption shall be deducted from that portion of the total amount of the estate passing to beneficiaries which is taxable at the lowest rates specified herein.

NEW SECTION. Sec. 2. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Mrs. Fortson spoke in favor of the amendment.

POINT OF INQUIRY

Mrs. Fortson yielded to question by Mr. Amen.

Mr. Amen: "Representative Fortson, you are changing this from \$5,000 to \$45,000 and before I can vote on this could you give me the revenue impact this would have on the state?"

Mrs. Fortson: "I have the impact of the original bill, which would eliminate all inheritance tax from spouse to spouse. The impact on that one was two and a half million dollars. On this one, I can only say that I did send for it, and I got the same impact. I was informed that it would be much, much less, because it only covers the people who are really in the lower brackets."

MOTION

Mr. Julin moved that House Bill No. 1024 be rereferred to the Committee on Ways and Means - Revenue.

Representatives Julin and Sommers spoke in favor of the motion, and Representatives Charette and Parker spoke against it.

POINT OF PARLIAMENTARY INQUIRY

Mr. Randall: "Is the motion to hold this bill to the bottom of the calendar in order when there has been a motion to rerefer?"

SPEAKER'S RULING

The Speaker: "No, they have the same rank, so you would have to first vote on this motion, and then if you want to do something else to the bill, you would then have to place that motion."

With the consent of the House, Mr. Julin withdrew his motion to rerefer House Bill No. 1024 to the Committee on Ways and Means - Revenue.

MOTION

On motion of Mr. Charette, further consideration of House Bill No. 1024 was deferred, and the bill was ordered held for Monday's second reading calendar.



HOUSE BILL NO. 1423, by Representatives Perry, Kraabel and Beck:

Amending the laws relating to tax on ATV fuel.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendment, see Journal for seventeenth day, 3rd ex. sess., January 30, 1974.)

Mr. Perry moved adoption of the committee amendment.

On motion of Mr. Perry, the following amendment to the committee amendment was adopted:

On the last line of the committee amendment, after "period" insert ", less proper deductions for refunds and costs of collection as provided in RCW 46.68.090"

The committee amendment as amended was adopted.

House Bill No. 1423 was ordered engrossed.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1423 was placed on final passage.

Mr. Perry and Mr. Kraabel spoke in favor of the bill, and Mr. Zimmerman spoke against it.

Mr. Kraabel spoke again in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1423, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bausch, Laughlin, Zimmerman.

Not voting: Representatives Hansey, Morrison.

Engrossed House Bill No. 1423, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1516, by Representatives McCormick and Luders:

Expediting certification of thermal power plant sites and lines.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1516 was placed on final passage.

Representatives Luders and Savage spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1516, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hansey, Morrison.

House Bill No. 1516, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2046, by Senators Scott and Marsh:

Repealing the host-guest statutes.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2046 was placed on final passage.

Mr. Kelley spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2046, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hansey, Morrison.

Engrossed Senate Bill No. 2046, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, consideration of SUBSTITUTE SENATE BILL NO. 2120 was deferred, and the bill was ordered held until the next working day.

SENATE BILL NO. 2574, by Senators Guess and Sandison:

Providing for master degree of social work at Eastern Washington State College.

The bill was read the second time.

Mr. Kopet moved adoption of the following amendment by Representatives Kopet, Luders and Pardini:

On page 1, section 1, line 9 after "the" strike "degree" and insert "degrees" and on line 9 after "work" and before "and" insert "and master of business administration"

Debate ensued, Representatives Kopet, Maxie, Pardini and Luders speaking in favor of the amendment, and

Representatives Goltz, Charnley and Van Dyk speaking against it.

#### MOTION

Mr. Moon moved that Senate Bill No. 2574 be rereferred to the Committee on Higher Education.

Mr. Moon spoke in favor of the motion, and Ms. Maxie spoke against it.

#### POINT OF INQUIRY

Ms. Maxie yielded to question by Mr. Moon.

Mr. Moon: "Representative Maxie, has the Committee on Higher Education addressed itself to the Master of Business Administration degree, granting it to the other institutions of higher education as well as to Eastern?"

Ms. Maxie: "The Committee on Higher Education has a bill in committee, House Bill No. 1254, that deals with this subject. We had it scheduled for hearing, but the administration here canceled our hearing so that we couldn't have the proper exposure. Indirectly we did have exposure to the matter of the Masters of Business for Eastern through the Council on Higher Education, which was reported to our committee. We have had input on this particular subject. Now, when this matter came up I talked to the President of Eastern, and it was his suggestion at the time that we could hold this matter for a later date, but after talking to Representative Kopet, and after he cleared it with the Senate, it was his judgment that we go ahead with this and I consented to that."

With the consent of the House, Mr. Kopet withdrew the amendment.

With the consent of the House, Mr. Moon withdrew his motion to rerefer the bill to the Committee on Higher Education.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2574 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2574, and the bill passed the House by the following vote: Yeas, 90; nays, 5; not voting, 3.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury,

King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, Newhouse, North P., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Eikenberry, Gilleland, Julin, Matthews, Wojahn.

Not voting: Representatives Hansey, Morrison, Perry.

Senate Bill No. 2574, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2946, by Committee on Parks and Recreation (Endorsed by Senators Knoblauch, Jones, Canfield, Bailey, Woody and Wanamaker):

Implementing the law of state shorelands and tidelands.

#### MOTION

On motion of Mr. Charette, further consideration of Engrossed Senate Bill No. 2946 was deferred, and the bill was ordered held for Monday's second reading calendar.

ENGROSSED SENATE BILL NO. 2961, by Senators Walgren, Whetzel, Francis and Keefe:

Allowing prosecuting attorneys to employ legal interns.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2961 was placed on final passage.

Representatives Knowles and Eikenberry spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2961, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto,

Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hansey, Morrison.

Engrossed Senate Bill No. 2961, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2962. by Senators Walgren, Whetzl, Francis and Keefe:

Allowing city attorneys to employ legal interns.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2962 was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2962, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hansey, Morrison, Newhouse.

Engrossed Senate Bill No. 2962, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## THIRD READING

HOUSE BILL NO. 102, by Representatives Bauer, Berentson, Laughlin, Hansey and Erickson:

Authorizing alternative procedures for payment of condemnation awards subject to benefits setoff.

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

Representatives Bauer, Kraabel and Laughlin spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 102, and the bill passed the House by the following vote: Yeas, 91; nays, 3; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Julin, Newhouse, Pardini.

Not voting: Representatives Hansey, Jueling, Morrison, Nelson.

House Bill No. 102, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Mr. Thompson, SENATE BILL NO. 3039 was rereferred from the Committee on Natural Resources to the Committee on Parks and Recreation.

On motion of Mr. Thompson, HOUSE BILL NO. 1339 and ENGROSSED HOUSE BILL NO. 380 were rereferred from the Committee on Rules to the Committee on Ways and Means - Appropriations.

## PARLIAMENTARY INQUIRY

Mr. Curtis: "On a motion, such as the one just made, by taking a bill from Rules Committee and running it to

Ways and Means, does that breathe new life into that bill? We are past the cutoff for consideration of bills of certain subject matter, and then by running them to Ways and Means and giving them some sort of fiscal impact, does that then keep them alive or have we already passed the date, and are they dead?"

#### SPEAKER'S RULING

The Speaker: "The question that the Rules Committee considered on each bill on its calendar was 'Does the bill come within the scope of a revenue or appropriations bill.' Therefore any bills that were in doubt, and those that had a fiscal impact or possible fiscal impact, were referred to Ways and Means for that committee to make that determination. When they come back to the Rules Committee, that question will be raised in Rules Committee, and will be ruled on after we have the information."

#### MOTION

On motion of Mr. Charette, the House adjourned until 11:00 a.m., Monday, February 4, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.



TWENTY-SECOND DAY

-----  
MORNING SESSION  
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House Chamber, Olympia, Wash., Monday, February 4, 1974.

The House was called to order at 11:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Loyer of the Westminster United Presbyterian Church of Olympia.

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

MESSAGE FROM THE SENATE

February 2, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3020,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3020, by Committee on Ways and Means (Originally sponsored by Senators Atwood, Donohue and Odegaard - by Executive request):

AN ACT Relating to expenditures by state agencies and offices of the state; making appropriations for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; making other appropriations; designating effective dates for certain appropriations; amending section 4, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 5, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 7, chapter 131, Laws of 1973 1st ex. sess. (uncodified); and declaring an emergency.

To Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

February 1, 1974

SUBSTITUTE HOUSE BILL NO. 670, Prime sponsor:  
Representative Nelson, pertaining to local sales taxes

adopted to finance local public transportation systems, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Bagnariol, Bluechel, Brown, Erickson, Goltz, Kilbury, King, Moon, Pardini, Williams.

February 1, 1974

HOUSE BILL NO. 1274, Prime sponsor: Representative Bagnariol, implementing laws relating to the state teachers' retirement system, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives North (Frances), Vice Chairwoman; Bagnariol, Bausch, Blair, Charette, Ehlers, Gaspard, Hoggins, Luders, Smith, Thompson, Van Dyk, Warnke, Zimmerman.

February 2, 1974

HOUSE BILL NO. 1308, Prime sponsor: Representative Ceccarelli, establishing and prescribing the functions of the committee on deferred compensation, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass. Signed by Representatives Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Kelley, Luders, Pardini, Parker, Van Dyk.

February 1, 1974

HOUSE BILL NO. 1363, Prime sponsor: Representative Bagnariol, providing for public employment retirement, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 10, immediately following section 11, insert a new section as follows:

"NEW SECTION. Sec. 12. To carry out the provisions of this 1974 amendatory act there is hereby appropriated from the retirement system expense fund for the biennium ending June 30, 1975 the sum of seventeen thousand five hundred dollars, or so much thereof as may be necessary."

Renumber the remaining sections consecutively

On page 1, line 8 of the title after "41.40 RCW;" insert "making an appropriation;"

Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Bausch, Ehlers, Gaspard, Hoggins, Kopet, Luders, Smith, Thompson, Valle, Warnke, Zimmerman.

February 1, 1974

HOUSE BILL NO. 1441, Prime sponsor: Representative Berentson, granting certain powers to public utility districts, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Berentson, Ceccarelli, Gallagher, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Martinis, Patterson, Wilson.

February 1, 1974

HOUSE JOINT MEMORIAL NO. 26, Prime sponsor: Representative Perry, memorializing the Congress to continue the construction schedule of dams in the Columbia River Power System, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Bender, Berentson, Ceccarelli, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Patterson, Schumaker, Wilson.

February 1, 1974

ENGROSSED SENATE BILL NO. 2416, Prime sponsor: Senator Bottiger, implementing the law relating to motor vehicle theft, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 1, strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 60, Laws of 1917 and RCW 9.54.030 are each amended to read as follows:

(1) Whoever knowingly buys, sells, receives, disposes of, conceals, or has knowingly in his possession any motor vehicle ((or)) motorcycle, motor-driven cycle, trailer, vessel, motorboat, or component part thereof, from which the manufacturer's serial number or any other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed for the purpose of concealment or misrepresenting the identity of the said motor vehicle, ((motorbike;)) motorcycle, motor-driven cycle, trailer, ((or)) vessel, motorboat or component part thereof shall be guilty of a gross misdemeanor.

(2) Any motor vehicle, motorcycle, motor-driven cycle, trailer, vessel, motorboat, or any component part thereof, from which the manufacturer's serial number or any other distinguishing number or identification mark has been removed, defaced, covered, altered, or destroyed, there being probable cause to believe that such was done for the purpose of concealing or misrepresenting identity, shall be impounded and held by the seizing law enforcement agency

until the original numbers or marks are restored, or it is determined that the motor vehicle, motorcycle, motor-driven cycle, trailer, vessel, motorboat, or component part thereof, was reported as stolen and it is returned to the rightful owner as provided in this subsection. If reported as stolen the seizing law enforcement agency shall promptly return such motor vehicle, motorcycle, motor-driven cycle, trailer, vessel, motorboat, or parts thereof as have been stolen to the person who was the lawful owner or the lawful successor in interest, upon receiving proof that such person presently owns or has a lawful right to the return and possession of such motor vehicle, motorcycle, motor-driven cycle, trailer, vessel, motorboat, or component part thereof.

(3) If the original manufacturer's serial numbers or other distinguishing numbers or identification marks cannot be restored, and if the article was not reported stolen or was reported stolen and the seizing law enforcement agency cannot locate the person who was the lawful owner at the time it was reported stolen or his lawful successor in interest, or if such lawful owner or his lawful successor in interest fails to claim the article within forty-five days after receiving notice from the seizing law enforcement agency that the article is in its possession, the motor vehicle, motorcycle, motor-driven cycle, trailer, vessel, motorboat, or component part thereof may be destroyed or may be sold at public auction to the highest bidder or may be held by the seizing law enforcement agency for its official use and purposes: PROVIDED, That no such disposition shall be undertaken until at least sixty days have elapsed from the date of seizure: PROVIDED FURTHER, That written notice of the seizure and potential disposition shall have first been served upon the person who held possession or custody of the article when it was impounded and upon any other person who prior to final disposition of the article notifies the seizing law enforcement agency in writing of a claim to ownership or lawful right to possession thereof, and a reasonable opportunity to be heard as to the claim of ownership or right of possession shall have first been afforded to such person or persons. Such hearing shall be before the chief law enforcement officer of the seizing agency or his designee, except that any person claiming ownership or right of possession hereunder may remove the matter to a court of competent jurisdiction if the aggregate value of the article or articles involved is one hundred dollars or more. A hearing before the agency and any appeal therefrom shall be pursuant to chapter 34.04 RCW. In a court hearing between two or more claimants to the article or articles involved, the prevailing party shall be entitled to judgment for costs and reasonable attorney's fees. The burden of producing evidence shall be upon the person claiming to be the lawful owner or to have the lawful right to possession. The seizing law enforcement agency shall promptly return the article or articles to the claimant upon determination by the hearing officer or court that he is the present lawful owner or is lawfully entitled to possession thereof.

(4) Prior to the release from a law enforcement agency's custody or the future use of any motor vehicle, motorcycle, motor-driven cycle, trailer, motorboat, or component part thereof, from which the serial number or other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed, an identification number shall be assigned in accordance with the rules and regulations promulgated by the department of motor vehicles.

Sec. 2. Section 46.37.020, chapter 12, Laws of 1961 as amended by section 2, chapter 154, Laws of 1963 and RCW 46.37.020 are each amended to read as follows:

Every vehicle upon a highway within this state at any time from a half hour after sunset to a half hour before sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of five hundred feet ahead shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles, and further that stop lights, turn signals and other signaling devices shall be lighted as prescribed for the use of such devices; PROVIDED, That every motorcycle and every motor-driven cycle shall have its head and tail lamps lighted whenever such vehicle is in motion upon a highway."

On page 1, in line 2 of the title, after "9.54.030;" and before "and" insert "amending section 46.37.020, chapter 12, Laws of 1961 as amended by section 2, chapter 154, Laws of 1963 and RCW 46.37.020;"

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Julin, Maxie, Newhouse, North (Lois).

February 1, 1974

ENGROSSED SENATE BILL NO. 2551, Prime sponsor: Senator Wanamaker, prescribing purposes for which motor vehicle funds may be expended, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Nelson, Patterson, Schumaker, Wilson.

February 1, 1974

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2583, Prime sponsor: Senator Matson, implementing the laws relating to motor vehicle size, weight and load, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 15 strike all of section 2

Renumber the remaining section.

On page 4, section 3, following line 28 insert:

"Continuous operation of a combination of vehicles with loads of non-reducible features not to exceed eighty-five feet in length, fourteen feet in width, and fourteen feet in height for a period of one year.....\$150.00"

On page 1, line 4 of the title after "46.44.091;" strike all of the material down through "RCW 46.44.040;" on line 6

On page 1, line 8 of the title after "RCW 46.66.0941" strike the remainder of the title and insert a period.

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Gallagher, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Patterson, Schumaker, Wilson.

February 1, 1974

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2843, Prime sponsor: Senator Fleming, authorizing counties, cities and towns to participate in and implement federally-assisted grant-in-aid programs, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 4, line 4 of the engrossed bill being page 3, line 1 of the printed bill, after "beyond the" strike "limits of the incorporated area of any city or town" and insert "geographic limits of any city, town, or county"

On page 3, section 4, line 6 of the engrossed bill, being page 3, line 3 of the printed bill, after "county" insert ", or between one county and another county"

On page 4, section 7, line 15 of the engrossed bill, being page 4, line 12 of the printed bill, after "any" insert "nonrevenue producing"

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Amen, Blair, Honan, Kishimoto, Laughlin, McCormick, North (Frances), Paris, Sommers, Zimmerman.

February 1, 1974

SENATE BILL NO. 3022, Prime sponsor: Senator Donohue, increasing the fee for inspection and assignment of a vehicle identification number, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee

Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Ceccarelli, Clemente, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Patterson, Wilson.

February 1, 1974

SENATE BILL NO. 3037, Prime sponsor: Senator Walgren, requiring that "no smoking" areas be designated on state ferries, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Ceccarelli, Clemente, Douthwaite, Garrett, Gilleland, Hansen, Kraabel, Leckenby, Patterson, Schumaker, Wilson.

February 1, 1974

SUBSTITUTE SENATE BILL NO. 3106, Prime sponsor: Senator Walgren, establishing a maximum 55 mile per hour speed limit on public highways, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, beginning on line 22 following section 2, insert a new section as follows:

"Sec. 3. Section 4, chapter 16, Laws of 1963 and RCW 46.61.415 are each amended to read as follows:

(1) Whenever local authorities in their respective jurisdictions determine on the basis of an engineering and traffic investigation that the maximum speed permitted under this act is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit thereon which

(a) Decreases the limit at intersections; or

(b) Increases the limit but not to more than sixty miles per hour; or

(c) Decreases the limit but not to less than twenty miles per hour.

(2) Local authorities in their respective jurisdictions shall determine by an engineering and traffic investigation the proper maximum speed for all arterial streets and shall declare a reasonable and safe maximum limit thereon which may be greater or less than the maximum speed permitted under RCW 46.61.400(2) but shall not exceed sixty miles per hour.

(3) The state highway commission is authorized to establish speed limits on county roads and city and town streets as shall be necessary to conform with any federal requirements which are a prescribed condition for the allocation of federal funds to the state.

(4) Any altered limit established as hereinbefore authorized shall be effective when appropriate signs giving notice thereof are erected. Such maximum speed limit may

be declared to be effective at all times or at such times as are indicated upon such signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs.

((†)) (5) Any alteration of maximum limits on state highways within incorporated cities or towns by local authorities shall not be effective until such alteration has been approved by the state highway commission."

Renumber the remaining sections.

On page 1, line 6 of the title after "RCW 46.61.410;" insert "amending section 4, chapter 16, Laws of 1963 and RCW 46.61.415;"

Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Ceccarelli, Garrett, Gilleland, Hansen, Kraabel, Laughlin, Leckenby, Patterson, Schumaker, Wilson.

February 1, 1974

SENATE JOINT MEMORIAL NO. 106, Prime sponsor: Senator Donohue, providing for a second bridge across the Snake River funded with federal money, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Ceccarelli, Clemente, Garrett, Gilleland, Hansen, Laughlin, Leckenby, Patterson, Schumaker, Wilson. †

February 1, 1974

SENATE JOINT RESOLUTION NO. 143, Prime sponsor: Senator Grant, proposing an amendment to the Washington Constitution on qualifications of electors, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 9 after "over" strike all the material down to and including "sex" on line 24 and insert "((possessing the following qualifications,)) who are citizens of the United States and who have lived in the state, county, and precinct thirty days immediately preceding the election at which they offer to vote, except those disqualified by Article VI, section 3 of this Constitution, shall be entitled to vote at all elections, ((: They shall be citizens of the United States; they shall have lived in the state one year; and in the county ninety days; and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote; they shall be able to read and speak the English language: PROVIDED; That Indians not taxed shall never be allowed the elective franchise: AND FURTHER PROVIDED; That



this amendment shall not affect the rights of franchise of any person who is now a qualified elector of this state. The legislative authority shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provision of this section: There shall be no denial of the elective franchise at any election on account of sex;))"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Brown, Eng, Erickson, Hayner, Maxie, Rabel.

#### MOTION

On motion of Mr. Thompson, all bills, memorials and resolutions listed on today's agenda under the fifth order of business were referred to the Committee on Rules for second reading.

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

The Speaker called the House to order.

#### SECOND READING

HOUSE BILL NO. 1024, by Representatives Fortson, Bender, Clemente, North (Frances), Hansen, Pullen and Van Dyk:

Exempting community property from inheritance taxes when transferred to the surviving spouse.

#### MOTION

On motion of Mr. Thompson, further consideration of House Bill No. 1024 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

SUBSTITUTE SENATE BILL NO. 2120, by Committee on Higher Education (Originally sponsored by Senators Sandison, Canfield, Marsh and Gardner - by Joint Committee on Higher Education request):

Imposing additional duties on council on higher education relating to technological education and student exchange programs.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2120 was placed on final passage.

Ms. Maxie spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2120, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Leckenby, Morrison, Newhouse.

Substitute Senate Bill No. 2120, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Thompson, consideration of ENGROSSED SENATE BILL NO. 2946 was deferred, and the bill was ordered held for tomorrow's second reading calendar.

REENGROSSED SENATE BILL NO. 2095, by Senators Bailey, Fleming and Lewis (Harry):

Allowing port districts to select a treasurer other than the county treasurer.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Reengrossed Senate Bill No. 2095 was placed on final passage.

Mrs. Johnson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2095, and the bill passed the House by the following vote: Yeas, 86; nays, 12; not voting, 0.

Voting yea: Representatives Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Shinpoch, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Adams, Beck, Cunningham, Ehlers, Erickson, Gallagher, Hoggins, King, Moon, Randall, Smith, Wojahn.

Reengrossed Senate Bill No. 2095, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, consideration of REENGROSSED SUBSTITUTE SENATE BILL NO. 2132 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

SENATE BILL NO. 2937, by Committee on Local Government (Endorsed by Senators Whetzel, Murray, Jolly, Talley, Fleming, Sellar, Gardner and Connor):

Authorizing cities to expend funds for legal aid.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2937 was placed on final passage.

Mr. Douthwaite spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2937, and the bill passed the House by the following vote: Yeas, 95; nays, 3; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler,

Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Kuehnle, Matthews, Nelson.

Senate Bill No. 2937, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3029, by Senators Marsh and Francis:

Enacting a savings clause for the dissolution of marriage act.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3029 was placed on final passage.

Mr. Knowles spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3029, and the bill passed the House by the following vote: Yeas, 91; nays, 7; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Beck, Gallagher, Honan, Martinis, McCormick, O'Brien.

Senate Bill No. 3029, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3032, by Committee on Education  
(Originally sponsored by Senator von Reichbauer):

Authorizing acceptance, management and expenditure by school district boards of directors of gifts and conveyances.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3032 was placed on final passage.

Mr. Bauer spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3032, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Hayner, Julin.

Not voting: Representative Maxie.

Substitute Senate Bill No. 3032, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Thompson, consideration of ENGROSSED SENATE BILL NO. 3078 and SENATE BILL NO. 3184 was deferred, and the bills were ordered held for tomorrow's second reading calendar.

ENGROSSED SENATE JOINT MEMORIAL NO. 134, by Senators Talley and Peterson (Lowell):

Requesting the federal government to protect the Washington state fisheries resource.

The memorial was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Joint Memorial No. 134 was placed on final passage.

Mr. Martinis spoke in favor of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Joint Memorial No. 134, and the memorial passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Mocr, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warne, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Douthwaite.

Engrossed Senate Joint Memorial No. 134, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1268, by Representatives Randall, Hoggins, Ehlers, Luders and Curtis:

Exempting school districts from having to contract for services from fire protection districts.

The bill was read the second time.

On motion of Mr. Randall, Substitute House Bill No. 1268 was substituted for House Bill No. 1268, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1268 was read the second time.

On motion of Mr. Randall, the following amendments were adopted:

On page 1, section 1, at the beginning of line 26 strike "full and complete"

On page 2, section 1, line 3 after "commissioner," insert "director of program planning and fiscal management."

On page 2, section 1, line 4 after "Washington" strike "state association of fire commissioners" and insert "fire commissioners association"

On page 2, section 1, line 7 after "services" insert ". On or before September 1, 1974, the insurance commissioner shall establish such rates to be payable by school districts on or before January 1st of each year commencing January 1, 1975"

Substitute House Bill No. 1268 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1268 was placed on final passage.

Mr. Randall spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Moon.

Mr. Moon: "Last session we passed a landmark type of bill, in my opinion, that dealt with exemptions of private public service agencies. That bill exempted private public service agencies from paying ad valorem taxes and likewise fire protection taxes. Will the passage of this bill set into motion a means whereby public schools will pay for fire protection while at the same time we have private property owned by public service agencies--that is churches, private schools and private recreational facilities--that will be exempt from paying for fire protection and we will, in effect, be charging the State Superintendent of Public Instruction to set up a method whereby our public property will pay for fire protection and private property will be exempt?"

Mr. Randall. "It will not change the law as it reads now. The law as it reads now requires a school district to begin to negotiate for payment of rate. The law now says that. This bill exempts school districts from that requirement; it puts a moratorium on that until such time when uniform rates will be established. As regards other private property in the public interest that is now exempt, there is a bill coming along behind us in our committee this afternoon that takes care of that."

#### MOTION

Mr. Moon moved that further consideration of Engrossed Substitute House Bill No. 1268 be deferred, and the bill be held for tomorrow's third reading calendar.

Mr. Luders spoke against the motion, and the motion was not adopted.

The Speaker declared the question before the House to be final passage of Engrossed Substitute House Bill No. 1268.

Debate ensued, Representatives Randall and Kuehnle speaking in favor of the bill, and Representatives North (Lois) and Moon speaking against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1268, and the bill passed the House by the following vote: Yeas, 88; nays, 9; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Gilleland, Julin, Kopet, Kraabel, Moon, Nelson, North L., Pardini, Wojahn.

Not voting: Representative Perry.

Engrossed Substitute House Bill No. 1268, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1407, by Representatives Sommers and Randall:

Defining "adopted child" for purposes of the inheritance land gift tax laws.

The bill was read the second time.

Mr. Ceccarelli moved adoption of the following amendments:

On page 2, section 1, line 26 after "(A-1)" and before "thousand" strike "Five" and insert "((Five)) Ten"

On page 1, section 1, line 27 after "(A-2)" and before "thousand" strike "five" and insert "((five)) ten"

Representatives Ceccarelli and Julin spoke in favor of the amendments, and Representative Sommers spoke against them.



## POINT OF INQUIRY

Mr. Ceccarelli yielded to question by Mr. Randall.

Mr. Randall: "In developing the amendment, did you get a fiscal impact on this?"

Mr. Ceccarelli: "No, in fact as I understand it, there is no fiscal note on House Bill No. 1407 as written. We don't even have a fiscal note on the bill before us now. We have another bill in the Revenue Committee that is going to address itself to exemptions, but we are not going to get to that bill this session, that is why I am offering this amendment. This has been the same since 1930 and I think it's time to change. It's going to help the lower and middle income families that have worked all their lives for an estate. I think that it is important that we increase this now."

Representatives Randall and Charette spoke against the amendments.

Mr. Pardini demanded an electric roll call and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the amendments by Mr. Ceccarelli to House Bill No. 1407, and the amendments were not adopted by the following vote: Yeas, 47; nays, 50; not voting, 1.

Voting yea: Representatives Amen, Barnes, Bausch, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Chatalas, Cunningham, Curtis, Eikenberry, Flanagan, Fortson, Freeman, Gaines, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jueling, Julin, Kishimoto, Kopet, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Polk, Pullen, Rabel, Schumaker, Van Dyk, Warnke, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Beck, Bender, Blair, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Gallagher, Gaspard, Goltz, Haussler, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., Patterson, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Parker.

Mr. Julin moved adoption of the following amendment by Representatives Julin and Pardini:

On page 2, section 1, line 14 after "section" strike down to and including "adoption" on line 16 and insert "if the decedent has adopted any person over the age of 18 years within two years of his death, that adoption shall, unless the contrary is shown, be deemed as having been done in contemplation of death and the person so adopted not

considered an 'adopted child' but no such adoption completed before such two year period shall be treated as having been done in contemplation of death"

Representatives Julin and Pardini spoke in favor of the amendment, and Representatives Sommers, Charette and Moon spoke against it.

Mr. Julin spoke again in favor of the amendment.

The amendment was not adopted.

House Bill No. 1407 was passed to the Committee on Rules for third reading.

#### MOTIONS

On motion of Mr. Thompson, further consideration of today's calendar was deferred, and the bills were ordered held for tomorrow's calendar.

On motion of Mr. Thompson, HOUSE BILL NO. 1387 was rereferred from the Committee on Local Government to the Committee on Transportation and Utilities.

On motion of Mr. Thompson, consideration of House Floor Resolution No. 74-164 was deferred until the next working day.

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Tuesday, February 5, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. POSTER, Chief Clerk.

TWENTY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, February 5, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Polk, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Father James Hamilton of the Sacred Heart Church of Tacoma.

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

## MESSAGE FROM THE GOVERNOR

January 31, 1974

TO THE HONORABLE,  
THE SENATE AND THE HOUSE OF REPRESENTATIVES,  
OF THE STATE OF WASHINGTON

In compliance with the provisions of Section 11 of Article III of the Constitution of the State of Washington, I have the honor to submit herewith my report of each case of reprieve, commutation or pardon which I have granted since the adjournment of the First Extraordinary Session of the Forty-third Session of the Legislature.

MERCIE D. WILSON

Mercie D. Wilson was found guilty of the crime of Murder in the First Degree by the Superior Court of the State of Washington for King County, and she was thereafter sentenced to a term of not more than her natural life in such penal institution or correctional facility as the Director of Institutions were to deem appropriate. She served in excess of seven years in prison, most recently at the Purdy Treatment Center for Women, where her conduct and record were exemplary. Substantial additional incarceration would have been required under the law before she could be eligible for parole pursuant to the authority of the Board of Prison Terms and Paroles.

Petitions were submitted to me on her behalf urging that the life sentence of Mercie D. Wilson be commuted so that she would be eligible for parole on the grounds that she is clearly able to assume a responsible role in society, is demonstrably rehabilitated and will not constitute a threat to other persons. The petitions for commutation of sentence were supported by the Superintendent of the Purdy Treatment Center for Women, the

King County Superior Court Judge who presided at her trial and the State Board of Prison Terms and Paroles.

On July 11, 1973, after concluding that further incarceration of Mercie D. Wilson would not be in the best interest of her or society, I commuted the life sentence of Mercie D. Wilson and thereby authorized the Washington State Board of Prison Terms and Paroles to consider her parole subject to the complete control, supervision and authority of that Board.

DAVID M. SINCLAIR

David M. Sinclair was found guilty of the crime of Murder in the First Degree by the Superior Court of the State of Washington for King County on March 18, 1966, and he was thereafter sentenced to a term of life imprisonment for such crime.

David M. Sinclair served in excess of seven years in prison, and since August 19, 1966, at the Washington State Reformatory in Monroe where his conduct and record have been exemplary. Because of the statutory minimum sentence provided in RCW Chapter 9.95, substantial additional incarceration would have been required before he could be eligible for parole pursuant to the authority of the Board of Prison Terms and Paroles.

Petitions were submitted to me on behalf of David M. Sinclair urging that his life sentence be commuted so that he would be eligible for parole on the grounds that David M. Sinclair is clearly able to assume a responsible role in society, is demonstrably rehabilitated and will not constitute a threat to other persons and will not be benefited by further incarceration. The Board of Prison Terms and Paroles recommended to me that the life sentence of David M. Sinclair should be commuted.

On November 30, 1973, after concluding that further incarceration of David M. Sinclair would not be in the best interests of society or of himself, I commuted the life sentence of David M. Sinclair and thereby authorized the Board of Prison Terms and Paroles to consider his parole subject to the complete control, supervision and authority of that Board.

Respectfully submitted,  
DANIEL J. EVANS,  
Governor.

MESSAGES FROM THE SENATE

February 4, 1974

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2046,  
SENATE BILL NO. 2574,  
SENATE BILL NO. 2961,  
SENATE BILL NO. 2962,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 4, 1974

Mr. Speaker:

The Senate has passed:  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3118,  
 and the same is herewith transmitted.  
 Bill Gleason, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker was about to sign:

SENATE BILL NO. 2046,  
 SENATE BILL NO. 2574,  
 SENATE BILL NO. 2961,  
 SENATE BILL NO. 2962.

SENATE AMENDMENTS TO HOUSE BILL

February 4, 1974

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1469 with the following amendments:

On line 2 of the title after the semicolon following "RCW 16.52.080" insert "adding a new section to chapter 16.52 RCW;"

On page 1, section 1, line 10 after "~~otherwise,~~" and before "animal" strike "~~any domestic~~) an" and insert ") any domestic"

On page 1, section 1, line 11 strike "~~(or unnecessarily painful)~~" and insert "or unnecessarily painful"

On page 1, section 1, line 12 after "of a" strike "gross"

On page 1, section 1, line 12 after "misdemeanor" strike the balance of the material down through and including "imprisonment" on line 14

On page 2, line 2, immediately following section 1, add a new section to read as follows:

"NEW SECTION. Sec. 2. If the county sheriff shall find that said domestic animal has been neglected by its owner, he may authorize the removal of the animal to a proper pasture or other suitable place for feeding and restoring to health."

Re-number the old section 2 to read "Sec. 3."  
 and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Charette, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1469.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1469 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1469 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 0; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Berentson, Hoggins, Hurley, Jastad, Savage, and Mr. Speaker.

Engrossed Substitute House Bill No. 1469 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, Engrossed Substitute House Bill No. 1469 as amended by the Senate was ordered transmitted immediately to the Senate.

## INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3118, by Committee on Transportation and Utilities (Originally sponsored by Senator Bottiger):

AN ACT Relating to highway safety; amending section 62, chapter 155, Laws of 1965 ex. sess. as last amended by section 1, chapter 284, Laws of 1971 ex. sess. and RCW 46.61.515; amending section 1, chapter 199, Laws of 1969 ex. sess. and RCW 3.62.015; adding a new section to chapter 46.61 RCW; providing penalties; and declaring an emergency.

To Committee on Transportation and Utilities.

## REPORTS OF STANDING COMMITTEES

February 2, 1974

HOUSE BILL NO. 764, Prime sponsor: Representative Polk, creating a basic skills educational accountability system for grades kindergarten through six of the public

schools, reported by Committee on Ways and Means Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; Amen, Bagnariol, Bausch, Blair, Curtis, Ehlers, Hoggins, Kopet, Luders, North (Lois), Polk, Smith, Van Dyk.

February 2, 1974

HOUSE BILL NO. 1039, Prime sponsor: Representative Kilbury, authorizing expenditures for the operations of the department of ecology, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; Amen, Bagnariol, Bausch, Charette, Curtis, Ehlers, Hansey, Hoggins, Luders, Polk, Smith, Van Dyk.

February 2, 1974

HOUSE BILL NO. 1244, Prime sponsor: Representative North (Lois), requiring assessors to notify property owners of a change in the size of parcels of property, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 25 after "list:" insert "PROVIDED FURTHER, That failure to provide such notice shall be considered manifest error in description in accordance with RCW 84.69.020:"

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Bluechel, Brown, Eikenberry, Erickson, Goltz, Kilbury, Moon, Pardini.

February 2, 1974

HOUSE BILL NO. 1399, Prime sponsor: Representative Bagnariol, providing fiscal control over gambling law administration, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 7, section 5, line 10 after "\$" strike "....." and insert "827,078"

Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Bausch, Charette, Curtis, Ehlers, Hoggins, Kopet, Luders, North (Lois), Polk, Smith, Valle, Van Dyk, Warnke.

February 4, 1974

SECOND REENGROSSED SENATE BILL NO. 2004, Prime sponsor: Senator Herr, providing for a state lottery, reported by Committee on Commerce.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. For the purposes of this chapter:

(1) 'Commission' shall mean the state gambling commission established by RCW 9.46.040.

(2) 'Lottery' or 'state lottery' shall mean the lottery established and operated pursuant to this chapter.

(3) 'Director' shall mean the director of the state lottery.

NEW SECTION. Sec. 2. The department of motor vehicles shall provide such office, administrative, and legal services as are required by the commission and the director of the state lottery to carry out the provisions of this chapter. However, the costs of such services shall be paid for by the director of the state lottery from moneys placed within the revolving fund created by section 20 of this 1974 amendatory act.

Any vacancy occurring in the office of the director of the state lottery shall be filled in the same manner as the original appointment.

The director of the state lottery shall devote his entire time and attention to the duties of his office and shall not be engaged in any other profession or occupation. He shall receive such salary as shall be determined by the commission and the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to his employment.

NEW SECTION. Sec. 3. In addition to the powers and duties enumerated in RCW 9.46.070 as now or hereafter amended, the commission shall have the power, and it shall be its duty:

(1) To promulgate such rules and regulations governing the establishment and operation of a state lottery as it deems necessary and desirable in order that such a lottery be initiated at the earliest feasible and practicable time, and in order that such lottery produce the maximum amount of net revenues for the state consonant with the dignity of the state and the general welfare of the people. Such rules and regulations may include, but shall not be limited to, the following:

(a) The type of lottery to be conducted;

(b) The price, or prices, of tickets or shares in the lottery;

(c) The numbers and sizes of the prizes on the winning tickets or shares;

(d) The manner of selecting the winning tickets or shares;

(e) The manner and time of payment of prizes to the holders of winning tickets or shares which, at the commission's option, may be paid in lump sum amounts or installments over a period of years;



(f) The frequency of the drawings or selections of winning tickets or shares, without limitation;

(g) Without limit as to number, the type or types of locations at which tickets or shares may be sold;

(h) The method to be used in selling tickets or shares;

(i) The licensing of agents to sell tickets or shares, except that no person under the age of eighteen shall be licensed as an agent;

(j) The manner and amount of compensation, if any, to be paid licensed sales agents necessary to provide for the adequate availability of tickets or shares to prospective buyers and for the convenience of the public;

(k) The apportionment of the total revenues accruing from the sale of lottery tickets or shares and from all other sources among (i) the payment of prizes to the holders of winning tickets or shares shall not be less than forty-five percent of the gross income from such lottery, (ii) the payment of costs incurred in the operation and administration of the lottery, including the expenses of the lottery and the costs resulting from any contract or contracts entered into for promotional, advertising, or operational services or for the purchase or lease of lottery equipment and materials, but the payment of such costs shall not exceed fifteen percent of the gross income from such lottery (iii) for the repayment of the moneys appropriated to the state lottery fund pursuant to section 24 of this 1974 amendatory act, and (iv) for transfer to the general fund: PROVIDED, That no less than forty percent of the total revenues accruing from the sale of lottery tickets or shares shall be transferred to the state general fund;

(1) Such other matters necessary or desirable for the efficient and economical operation and administration of the lottery and for the convenience of the purchasers of tickets or shares and the holders of winning tickets or shares.

(2) To amend, repeal, or supplement any such rules and regulations from time to time as it deems necessary or desirable.

(3) To advise and make recommendations to the director of the state lottery regarding the operation and administration of the lottery.

(4) To publish monthly reports showing the total lottery revenues, prize disbursements, and other expenses for the preceding month, and to make an annual report, which shall include a full and complete statement of lottery revenues, prize disbursements, and other expenses, to the governor and the legislature, and including such recommendations for changes in this chapter as it deems necessary or desirable.

(5) To report immediately to the governor and the legislature any matters which shall require immediate changes in the laws of this state in order to prevent abuses and evasions of this chapter or rules and regulations promulgated thereunder or to rectify undesirable conditions in connection with the administration or operation of the lottery.

(6) To carry on a continuous study and investigation of the lottery throughout the state (a) for the purpose of ascertaining any defects in this chapter or in the rules and regulations issued thereunder by reason whereof any abuses in the administration and operation of the lottery or any evasion of this chapter or the rules and regulations may arise or be practiced, (b) for the purpose of formulating recommendations for changes in this chapter and the rules and regulations promulgated thereunder to prevent such abuses and evasions, (c) to guard against the use of this chapter and the rules and regulations issued thereunder as a cloak for the carrying on of professional gambling and crime, and (d) to insure that said law and rules and regulations shall be in such form and be so administered as to serve the true purposes of this chapter.

(7) To make a continuous study and investigation of (a) the operation and the administration of similar laws which may be in effect in other states or countries, (b) any literature on the subject which from time to time may be published or available, (c) any federal laws which may affect the operation of the lottery, and (d) the reaction of the citizens of this state to existing and potential features of the lottery with a view to recommending or effecting changes that will tend to serve the purposes of this chapter.

NEW SECTION. Sec. 4. The director of the state lottery shall have the power, and it shall be his duty to:

(1) Supervise and administer the operation of the lottery in accordance with the provisions of this chapter and with the rules and regulations of the commission;

(2) Subject to the approval of the commission, appoint such deputy directors as may be required to carry out the functions and duties of his office: PROVIDED, That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such deputy directors;

(3) Subject to the approval of the commission, appoint such professional, technical, and clerical assistants and employees as may be necessary to perform the duties imposed upon the director of the state lottery by this chapter: PROVIDED, That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such employees as are engaged in undercover investigative work but shall apply to other employees appointed by the director, except as provided for in subsection (2) of this section.

(4) In accordance with the provisions of this chapter and the rules and regulations of the commission, to license as agents to sell lottery tickets such persons as in his opinion will best serve the public convenience and promote the sale of tickets or shares. The director of the state lottery may require a bond from every licensed agent, in such amount as provided in the rules and regulations of the commission. Every licensed agent shall prominently display his license, or a copy thereof, as provided in the rules and regulations of the commission;

(5) Shall confer regularly as necessary or desirable and not less than once every month with the commission on the operation and administration of the lottery; shall make available for inspection by the commission, upon request, all books, records, files, and other information and

documents of the lottery; shall advise the commission and recommend such matters as he deems necessary and advisable to improve the operation and administration of the lottery;

(6) Subject to the approval of the commission and the applicable laws relating to public contracts, to enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery. No contract awarded or entered into by the director of the state lottery may be assigned by the holder thereof except by specific approval of the commission: PROVIDED, That nothing in this chapter shall authorize the commission to enter into public contracts for the regular and permanent operation of the lottery after the initial development and implementation. Public contracts authorized under this chapter are to be performed for a flat fee and not on a percentage of the lottery receipts; and

(7) To certify monthly to the state treasurer and the commission a full and complete statement of lottery revenues, prize disbursements, and other expenses for the preceding month.

NEW SECTION. Sec. 5. For the purpose of obtaining information concerning any matter relating to the administration or enforcement of this chapter, the commission, or any person appointed by it in writing for the purpose may conduct hearings, administer oaths, take depositions, compel the attendance of witnesses and issue subpoenas pursuant to RCW 34.04.105.

NEW SECTION. Sec. 6. No license as an agent to sell lottery tickets or shares shall be issued to any person to engage in business exclusively as a lottery sales agent. Before issuing such license the director of the state lottery shall consider such factors as (1) the financial responsibility and security of the person and his business or activity, (2) the accessibility of his place of business or activity to the public, (3) the sufficiency of existing licenses to serve the public convenience, and (4) the volume of expected sales.

For the purposes of this section, the term 'person' shall be construed to mean and include an individual, association, corporation, club, trust, estate, society, company, joint stock company, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals. 'Person' shall not be construed to mean or include any department, commission, agency, or instrumentality of the state, or any county and municipality or any agency or instrumentality thereof.

NEW SECTION. Sec. 7. Notwithstanding any other provision of law, any person licensed as provided in this chapter is hereby authorized and empowered to act as a lottery sales agent.

NEW SECTION. Sec. 8. The director of the state lottery may suspend or revoke, after notice and hearing, any license issued pursuant to this chapter. Such license may, however, be temporarily suspended by the director of the state lottery without prior notice, pending any prosecution, investigation, or hearing. A license may be

suspended or revoked by the director for one or more of the following reasons:

(1) Failure to account for lottery tickets received or the proceeds of the sale of lottery tickets or to file a bond if required by the director of the state lottery or to comply with the instructions of the director concerning the licensed activity;

(2) Conviction of any crime as defined by RCW 9.01.020;

(3) Failure to file any return or report or to keep records or to pay any tax required by this chapter;

(4) Fraud, deceit, misrepresentation, or conduct prejudicial to public confidence in the state lottery;

(5) That the number of lottery tickets sold by the lottery sales agent is insufficient to meet administrative costs and that public convenience is adequately served by other licensees;

(6) A material change, since issuance of the license with respect to any matters required to be considered by the director under section 6 of this 1974 amendatory act.

NEW SECTION. Sec. 9. No right of any person to a prize drawn shall be assignable, except that payment of any prize drawn may be paid to the estate of a deceased prize winner, and except that any person pursuant to an appropriate judicial order may be paid the prize to which the winner is entitled. The director shall be discharged of all further liability upon payment of a prize pursuant to this section.

NEW SECTION. Sec. 10. No person shall sell a ticket or share at a price greater than that fixed by rule or regulation of the commission. No person other than a licensed lottery sales agent shall sell lottery tickets, except that nothing in this section shall be construed to prevent any person from giving lottery tickets or shares to another as a gift.

Any person convicted of violating this section shall be guilty of a misdemeanor.

NEW SECTION. Sec. 11. No ticket or share shall be sold to any person under the age of eighteen, but this shall not be deemed to prohibit the purchase of a ticket or share for the purpose of making a gift by a person eighteen years of age or older to a person less than that age. Any licensee who knowingly sells or offers to sell a lottery ticket or share to any person under the age of eighteen, and is convicted of such, shall be guilty of a misdemeanor.

NEW SECTION. Sec. 12. No ticket or share shall be purchased by, and no prize shall be paid to any of the following persons: Any officer or employee of the lottery or to any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any officer or employee of the lottery.

NEW SECTION. Sec. 13. Unclaimed prize money for the prize on a winning ticket or share shall be retained in the state lottery fund by the director of the state lottery for the person entitled thereto for one year after the drawing in which the prize was won. If no claim is made for said money within such year, the prize money shall then be transferred to the state general fund and all rights to the prize existing prior to such transfer shall be extinguished as of the day of the transfer.

NEW SECTION. Sec. 14. The director of the state lottery may, in his discretion, require any or all lottery sales agents to deposit to the credit of the state lottery fund in banks designated by the state treasurer, all moneys received by such agents from the sale of lottery tickets or shares, less the amount, if any, retained as compensation for the sale of the tickets or shares, and to file with the director of the state lottery or his designated agents reports of their receipts and transactions in the sale of lottery tickets in such form and containing such information as he may require. The director of the state lottery may make such arrangements for any person, including a bank, to perform such functions, activities, or services in connection with the operation of the lottery as he may deem advisable pursuant to this chapter and the rules and regulations of the commission, and such functions, activities, or services shall constitute lawful functions, activities, and services of such person.

NEW SECTION. Sec. 15. No other law providing any penalty or disability for the sale of lottery tickets or any acts done in connection with a lottery shall apply to the sale of tickets or shares performed pursuant to this chapter.

NEW SECTION. Sec. 16. If the person entitled to a prize or any winning ticket is under the age of eighteen years, and such prize is less than five thousand dollars, the director of the state lottery may direct payment of the prize by delivery to an adult member of the minor's family or a guardian of the minor of a check or draft payable to the order of such minor. If the person entitled to a prize or any winning ticket is under the age of eighteen years, and such prize is five thousand dollars or more, the director of the state lottery may direct payment to such minor by depositing the amount of the prize in any bank to the credit of an adult member of the minor's family or a guardian of the minor as custodian for such minor. The person so named as custodian shall have the same duties and powers as a person designated as a custodian in a manner prescribed by the Washington Uniform Gifts to Minors Act, chapter 21.24 RCW, and for the purposes of this section the terms 'adult member of a minor's family', 'guardian of a minor' and 'bank' shall have the same meaning as in said act. The director of the state lottery shall be discharged of all further liability upon payment of a prize to a minor pursuant to this section.

NEW SECTION. Sec. 17. There is hereby created and established a separate fund, to be known as the state lottery fund. Such fund shall be maintained and controlled by the commission and shall consist of all revenues received from the sale of lottery tickets or shares, and all other moneys credited or transferred thereto from any other fund or source pursuant to law.

NEW SECTION. Sec. 18. The moneys in said state lottery fund shall be used only: (1) For the payment of prizes to the holders of winning lottery tickets or shares; (2) for purposes of making deposits into the reserve account created by section 19 of this 1974 amendatory act and into the revolving fund created by section 20 of this 1974 amendatory act and; (3) for purposes of making deposits

into the general fund; and (4) for the repayment to the general fund of the amount appropriated to the fund pursuant to section 24 of this 1974 amendatory act.

NEW SECTION. Sec. 19. In the event the commission decides to pay any portion of or all of the prizes in the form of installments over a period of years, it shall provide for the payment of all such installments by one, but not both, of the following methods:

(1) It may enter into contracts with any financially responsible person or firm providing for the payment of such installments; or

(2) It may establish and maintain a reserve account into which shall be placed sufficient moneys for the director of the lottery to pay such installments as they become due. Such reserve account shall be maintained as a separate and independent fund outside the state treasury.

NEW SECTION. Sec. 20. There is hereby created a revolving fund into which the commission shall deposit sufficient money to provide for the payment of the costs incurred in the operation and administration of the lottery: PROVIDED, That the amount deposited in such revolving fund shall never exceed fifteen percent of the total revenues accruing from the sale of lottery tickets or shares. Such revolving fund shall be managed, controlled and maintained by the commission and shall be a separate and independent fund outside the state treasury.

NEW SECTION. Sec. 21. The provisions of the administrative procedure act, chapter 34.04 RCW, as now law or hereafter amended, shall apply to administrative actions taken by the commission or the director pursuant to this chapter.

NEW SECTION. Sec. 22. The state auditor, in addition to the duties assigned to him by RCW 9.46.060 shall conduct an annual post-audit of all accounts and transactions of the lottery and such other special post-audits as he may be directed to conduct pursuant to chapter 43.09 RCW.

NEW SECTION. Sec. 23. If any clause, sentence, paragraph, subdivision, section, provision, or other portion of sections 1 through 19 of this 1974 amendatory act or the application thereof to any person or circumstances is held to be invalid, such holding shall not affect, impair, or invalidate the remainder of this chapter or the application of such portion held invalid to any other person or circumstances, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, provision, or other portion thereof directly involved in such holding or to the person and circumstances therein involved. If any provision of this chapter is inconsistent with, in conflict with, or contrary to any other provision of law, such provision of this chapter shall prevail over such other provision and such other provision shall be deemed to have been amended, superseded, or repealed to the extent of such inconsistency, conflict, and contrariety.

NEW SECTION. Sec. 24. There is hereby appropriated to the state lottery fund from the general fund the sum of one million five hundred thousand dollars, or so much thereof as may be necessary, for the purposes of the lottery in carrying out its functions and duties pursuant to sections 1 through 23 of this 1974 amendatory act. Such

appropriation shall be repaid to the general fund as soon as practicable from the net revenues accruing in the state lottery fund after the payment of prizes to holders of winning tickets or shares and expenses of the lottery.

NEW SECTION. Sec. 25. Sections 1 through 23 of this 1974 amendatory act shall constitute a new chapter in Title 67 RCW.

NEW SECTION. Sec. 26. There is added to chapter 218, Laws of 1973 1st ex. sess. a new section to read as follows:

The provisions of this chapter, as now law or hereafter amended, shall not apply to the conducting, operating, participating, or selling or purchasing of tickets or shares in the 'lottery' or 'state lottery' as defined in SHB 29 (section 1, chapter ..., Laws of 1974 1st ex. sess.), when such conducting, operating, participating, or selling or purchasing is in conformity to the provisions of SHB 29 (chapter ..., Laws of 1974 1st ex. sess.) and to the rules and regulations adopted thereunder.

Sec. 27. Section 4, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.040 are each amended to read as follows:

There shall be a commission, known as the 'Washington state gambling commission', consisting of five members appointed by the governor with the consent of the senate. The members of the commission shall be appointed within thirty days of July 16, 1973 for terms beginning July 1, 1973, and expiring as follows: One member of the commission for a term expiring July 1, 1975; one member of the commission for a term expiring July 1, 1976; one member of the commission for a term expiring July 1, 1977; one member of the commission for a term expiring July 1, 1978; and one member of the commission for a term expiring July 1, 1979; each as the governor so determines. Their successors, all of whom shall be citizen members appointed by the governor with the consent of the senate, upon being appointed and qualified, shall serve six year terms: PROVIDED, That no member of the commission who has served a full six year term shall be eligible for reappointment. In case of a vacancy, it shall be filled by appointment by the governor for the unexpired portion of the term in which said vacancy occurs. No vacancy in the membership of the commission shall impair the right of the remaining member or members to act, except as in RCW 9.46.050 (2) provided.

In addition to the members of the commission there shall ((initially)) be four ex officio members without vote from the legislature consisting of: (1) Two members of the senate, one from the majority political party and one from the minority political party, both to be appointed by the president of the senate; (2) two members of the house of representatives, one from the majority political party and one from the minority political party, both to be appointed by the speaker of the house of representatives; ((all of whose terms shall end December 31, 1974; appointments shall be made within thirty days of July 16, 1973)) such appointments shall be for a term of two years or for the period in which the appointee serves as a legislator, whichever expires first; members may be reappointed; vacancies shall be filled in the same manner as original appointments are made. Such ex officio members

who shall collect data deemed essential to future legislative proposals and exchange information with the board shall be deemed engaged in legislative business while in attendance upon the business of the board and shall be limited to such allowances therefor as otherwise provided in RCW 44.04.120, the same to be paid from the 'gambling revolving fund' as being expenses relative to commission business."

On page 1, strike the title and insert the following:

"AN ACT Relating to the establishment and operation of a state lottery; amending section 4, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.040; creating a new chapter in Title 67 RCW; adding a new section to chapter 9.46 RCW; creating new sections; and making an appropriation."

Signed by Representatives Jastad, Vice Chairman; Adams, Bagnariol, Gallagher, Garrett, Gilleland, Juelling, Perry, Randall, Wilson.

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

February 4, 1974

SENATE BILL NO. 2211, Prime sponsor: Senator Francis, allowing prosecutor of King County to contract with attorney general to initiate support proceedings, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Maxie, Newhouse, North (Lois), Smith, Sommers.

February 4, 1974

ENGROSSED SENATE BILL NO. 2329, Prime sponsor: Senator Atwood, providing for changes in the legal services revolving fund, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bluechel, Curtis, Ehlers, Gaines, Hurley, Kopet, Polk.

February 4, 1974

ENGROSSED SENATE BILL NO. 2572, Prime sponsor: Senator Whetzel, clarifying the authority of sewer districts, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Blair, Laughlin, Martinis, McCormick, Nelson, Patterson, Sommers.



February 4, 1974  
REENGROSSED SENATE BILL NO. 2584, Prime sponsor: Senator Odegaard, fixing compensation of diking district commissioners for labor other than attendance at meetings, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Amen, Blair, Honan, Kishimoto, Laughlin, McCormick, Nelson, North (Frances), Patterson, Sommers, Zimmerman.

February 4, 1974  
SENATE BILL NO. 2974, Prime sponsor: Senator Woody, permitting enforcement of judgments by supplemental proceedings in justice courts, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Vice Chairman; Eikenberry, Gaspard, Hayner, Maxie, Newhouse, North (Lois), Smith, Sommers.

February 4, 1974  
SENATE BILL NO. 2989, Prime sponsor: Senator Mattingly, authorizing members of legislative bodies of cities and towns to serve as volunteer firemen and receive like compensation and benefits as others so employed, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Amen, Honan, Kishimoto, Kuehnle, Laughlin, McCormick, North (Frances), Paris, Sommers, Zimmerman.

February 4, 1974  
ENGROSSED SENATE BILL NO. 3023, Prime sponsor: Senator Guess, exempting certain activities from certain requirements of the environmental impact act, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Hansey, Haussler, Schumaker, Van Dyk.

February 4, 1974  
ENGROSSED SENATE BILL NO. 3024, Prime sponsor: Senator Marsh, authorizing arrests for violations of superior court restraining orders under certain conditions, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, immediately following subsection (2) insert a new subsection as follows:

"(3) Restraining orders subject to this section shall bear the legend: VIOLATION OF THIS ORDER WITH ACTUAL NOTICE OF ITS TERMS IS A CRIMINAL OFFENSE UNDER CHAPTER 26.09 RCW AND IS ALSO SUBJECT TO CIVIL CONTEMPT PROCEEDINGS."

Re number the following subsection consecutively.

On page 1, section 1, line 18 after "issued" strike "in violation of" and insert "contrary to"

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Maxie, Newhouse, North (Lois), Smith.

February 1, 1974

ENGROSSED SENATE BILL NO. 3058, Prime sponsor: Senator von Reichbauer, authorizing added functions for the school directors' association and authorizing school districts to contract with the association in relation to its performance of certain functions, reported by Committee on Education.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, line 22 of the engrossed bill after "agencies" insert "intermediate school districts."

Signed by Representatives Ellis, Vice Chairman; Barnes, Brown, Clemente, Fortson, Hayner, Hendricks, Kishimoto, Pullen, Tilly.

February 4, 1974

ENGROSSED SENATE BILL NO. 3059, Prime sponsor: Senator Walgren, authorizing port police to exercise full police powers, reported by Committee on Local Government.

MAJORITY recommendation: Do pass. Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Amen, Blair, Honan, Kishimoto, Kuehnle, McCormick, Nelson, Paris, Sommers.

February 1, 1974

SENATE BILL NO. 3080, Prime sponsor: Senator Jolly, implementing the laws relating to livestock brands, reported by Committee on Agriculture.

MAJORITY recommendation: Do pass. Signed by Representatives Kilbury, Chairman; Hansen, Vice Chairman; Amen, Benitz, Haussler, Laughlin, Schumaker, Tilly.

MINORITY recommendation: Do not pass. Signed by Representative Van Dyk.

February 4, 1974

SUBSTITUTE SENATE BILL NO. 3117, Prime sponsor: Senator Newschwander, allowing alcoholic beverage service in bowling alleys, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Curtis, Ehlers, Gaines, Hendricks, Hurley, Polk.

February 4, 1974

ENGROSSED SUBSTITUTE SENATE BILL NO. 3146, Prime sponsor: Senator Whetzel, providing for art in public buildings, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 17 strike "of one-half"

On page 2, section 2, line 3 strike "one-half of"

On page 2, section 3, line 13 strike "state capitol committee" and insert "department of general administration"

On page 3, section 5, line 8, strike "one-half of"

On page 3, section 5, line 8, after "appropriation" insert", "

On page 3, section 5, line 29, strike "one-half of"

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Curtis, Gaines, Hendricks, Hurley, Lysen, Polk.

February 4, 1974

ENGROSSED SENATE BILL NO. 3324, Prime sponsor: Senator Lewis (Harry), providing for the legal defense of public officers, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendment:

In section 1, line 16 after "That" strike the remainder of the bill and insert "the compromise and settlement of such claims must be approved by the superior court in accordance with the provisions of RCW 4.92.150."

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bluechel, Curtis, Ehlers, Gaines, Hendricks, Hurley, Kopet, Polk.

#### MOTIONS

On motion of Mr. Thompson, the rules were suspended and SECOND REENGROSSED SENATE BILL NO. 2004 was advanced to second reading and read the second time.

On motion of Mr. Thompson, the House deferred consideration of Second Reengrossed Senate Bill No. 2004

and it was ordered placed on the second reading calendar following Senate Bill No. 3184.

#### MOTION

On motion of Mr. Thompson, the remaining bills listed on the fifth order of business were referred to the Committee on Rules for second reading.

#### SECOND READING

REENGROSSED SUBSTITUTE SENATE BILL NO. 2132, by Committee on Local Government (Originally sponsored by Senators Murray, Fleming and Bottiger):

Providing for a state criminal justice training commission.

The bill was read the second time.

Mr. Benitz moved adoption of the following amendment:

On page 5, section 8, line 3 after "statute" insert "":  
PROVIDED, That such standards and certifications are not inconsistent with the provisions of the state plan for vocational education adopted by the coordinating council for occupational education"

Mr. Benitz spoke in favor of the amendment, and Mr. Haussler spoke against it.

#### POINT OF INQUIRY

Mr. Haussler yielded to question by Mr. Benitz.

Mr. Benitz: "Representative Haussler, that is a pretty strong accusation that you have just made. I think, for the record, you should name the name so that we know what we are talking about. This is totally new to me, and I think I know as much about vocational education as anyone in the state."

Mr. Haussler: "I don't mind naming the name. The name is Charlie Johnson."

Mr. Benitz spoke again in favor of the amendment, and Representatives North (Lois) and Haussler spoke against it.

The amendment was not adopted.

#### MOTION

On motion of Mr. Thompson, the House deferred further consideration of Reengrossed Substitute Senate Bill No. 2132 until after consideration of Senate Bill No. 3184.

## MOTION

On motion of Mr. Charette, consideration of HOUSE BILL NO. 1024 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SENATE BILL NO. 2946, by Committee on Parks and Recreation (Endorsed by Senators Knoblauch, Jones, Canfield, Bailey, Woody and Wanamaker):

Implementing the law of state shorelands and tidelands.

The bill was read the second time.

Committee on Parks and Recreation recommendation: Majority, do pass as amended. (For amendments, see Journal for seventeenth day, 3rd ex. sess., January 30, 1974.)

On motion of Mrs. Hurley, the committee amendments were adopted.

## MOTIONS

On motion of Mr. Thompson, further consideration of Engrossed Senate Bill No. 2946 as amended by the House was deferred, and the bill was ordered placed at the bottom of the second reading calendar.

On motion of Mr. Thompson, consideration of ENGROSSED SENATE BILL NO. 3078 was deferred, and the bill was ordered placed on the calendar of the next working day.

SENATE BILL NO. 3184, by Senators Connor, Murray and Fleming:

Permitting certain transfers between designated public retirement systems.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3184 was placed on final passage.

Mr. May spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "For the record, I would like you to respond to a question as to whether the Public Pension Commission has studied and concurred in the recommendations made by Senate Bill No. 3184?"

Mr. Kuehnle: "Yes, Representative Douthwaite, the Washington State Public Pension Commission has studied Senate Bill No. 3184, unanimously recommended its passage to the legislature, and I might add, that the city unit

involved, which is the city of Seattle, has passed a resolution in favor of the bill and since the expense falls to the city, this is important. I would also like to point out, for the benefit of the members, that the Pension Commission is made up of five members of the House, five members of the Senate, and the real expertise comes from the five lay members involved, who are very knowledgeable in all of these issues. Therefore I think a question like this certainly is appropriate. The Pension Commission is charged statutorily with the responsibility of reviewing all pension matters and passing a recommendation along to the legislature. The answer is yes."

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3184, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Not voting: Representatives Jastad, Polk, and Mr. Speaker.

Senate Bill No. 3184, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

#### MOTION

On motion of Mr. Charette, HOUSE BILL NO. 29 and SENATE BILL NO. 2004 were ordered held for tomorrow's second reading calendar.

REENGROSSED SUBSTITUTE SENATE BILL NO. 2132, by Committee on Local Government (Originally sponsored by Senators Murray, Fleming and Bottiger):

Providing for a state criminal justice training commission.

The House resumed consideration of Reengrossed Substitute Senate Bill No. 2132.

Mr. Shinpoch moved adoption of the following amendment: On page 5, section 8, line 8 after "source" strike everything down through "facility" on line 11 and insert "for the purchase or lease of a training facility without prior approval of the legislature"

Representatives Shinpoch, Kopet and Haussler spoke in favor of the amendment, and the amendment was adopted.

Mr. Kuehnle moved adoption of the following amendments: On page 7, section 10, line 12 strike "three" and insert "five"

On page 7, section 10, line 13, strike "three" and insert "two"

On page 7, section 10, line 14, strike "three" and insert "two"

Mr. Kuehnle spoke in favor of the amendments, and Mr. Haussler spoke against them.

The amendments were not adopted on a rising vote.

#### MOTION

Mr. Eikenberry, having voted on the prevailing side, moved that the House do now reconsider the vote by which the Kuehnle amendments failed to pass the House.

#### POINT OF ORDER

Mr. Smith: "Representative Eikenberry is not speaking to the amendments. As he indicated when he started, his remarks are directed toward criminal law professors. The amendments offered by Representative Kuehnle do not deal with the professors."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Representative Smith, Representative Eikenberry is talking on his motion to reconsider the vote by which Representative Kuehnle's amendments failed. He does have some latitude in discussing the reason he moved for reconsideration. However, I would hope, Representative Eikenberry, that you would confine your remarks to the composition of this board and the numerical numbers that have been changed and why they were changed."

Mr. Eikenberry continued his remarks in favor of his motion to reconsider.

Representatives Smith and Haussler spoke against the motion.

The motion was lost.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Reengrossed Substitute Senate Bill No. 2132, as amended by the House, was placed on final passage.

Representatives Haussler and Kopet spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute Senate Bill No. 2132 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warneke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Hayner, Polk.

Reengrossed Substitute Senate Bill No. 2132, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2429, by Committee on Constitution and Elections (Originally sponsored by Senators Ridder, Grant and Canfield):

Revising conditions for issuance of absentee ballots.

The bill was read the second time.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2429 was placed on final passage.



Mr. King spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2429, and the bill passed the House by the following vote: Yeas, 85; nays, 10; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Paris, Parker, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cunningham, Curtis, Flanagan, Freeman, Hoggins, Matthews, Nelson, Pardini, Patterson, Tilly.

Not voting: Representatives Hayner, Luders, Polk.

Engrossed Substitute Senate Bill No. 2429, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2551, by Senators Wanamaker and Walgren:

Prescribing purposes for which motor vehicle funds may be expended.

The bill was read the second time.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2551 was placed on final passage.

Representatives Beck and Kraabel spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2551, and the bill passed the House by the following vote: Yeas, 91; nays, 4; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson,

Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Flanagan, Kuehnle, Patterson.

Not voting: Representatives Gaspard, Hayner, Polk.

Engrossed Senate Bill No. 2551, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr Polk appeared at the bar of the House.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2583, by Committee on Transportation and Utilities (Originally sponsored by Senators Matson and Peterson [Lowell]):

Implementing the laws relating to motor vehicle size, weight and load.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-second day, 3rd ex. sess., February 4, 1974.)

On motion of Mr. Beck, the committee amendment to page 2 was adopted.

Mr. Beck moved adoption of the committee amendment to page 4.

Representatives Beck, Gallagher and Charette spoke in favor of the committee amendment, and Representative Douthwaite spoke against it.

The committee amendment to page 4 was adopted.

On motion of Mr. Beck, the committee amendments to the title were adopted.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute Senate Bill No. 2583 as amended by the House, was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 2583 as amended by the House, and the bill passed the House by the following vote: Yeas, 84; nays, 10; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Sommers, Thompson, Tilly, Van Dyk, Warnke, Wilson, Wojahn.

Voting nay: Representatives Blair, Brown, Charnley, Douthwaite, Hoggins, Kopet, Lysen, Valle, Williams, Zimmerman.

Not voting: Representatives Hayner, Polk, Smith, and Mr. Speaker.

Engrossed Second Substitute Senate Bill No. 2583, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3022, by Senators Donohue, Henry and Twigg (by Department of Motor Vehicle request):

Increasing the fee for inspection and assignment of a vehicle identification number.

The bill was read the second time.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Senate Bill No. 3022 was placed on final passage.

Mr. Beck spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3022, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler,

Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representative Pardini.

Not voting: Representatives Hayner, Polk, and Mr. Speaker.

Senate Bill No. 3022, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3037, by Senator Walgren:

Requiring that "no smoking" areas be designated on state ferries.

The bill was read the second time.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Senate Bill No. 3037 was placed on final passage.

Representatives Beck, Valle and Brown spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Beck yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Beck, you commented in speaking to the bill that the department had no authority to enforce the present no-smoking rules that had been adopted. I am of the opinion that the department has, in the interest of health and welfare of passengers on ferries, a perfect right to create no-smoking zones. As a matter of fact, the last several ferry rides that I have taken, there were clearly no-smoking zones established. This bill doesn't prescribe any penalties nor give them any authorization to create any penalties. What does it do?"

Mr. Beck: "Well, Mr. Kuehnle, you are exactly right, we don't have any policemen on there and the only one who has the authority and the right to arrest anyone is the captain of the ship. He is the commander of that ship and he could enforce the rules. There is no official rule in the Administrative Code or anywhere else that the ferry system has to set aside a no-smoking zone, but this will give them some legal authority."

Mr. Kuehnle spoke against the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3037, and the bill passed the House by the following vote: Yeas, 82; nays, 13; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kraabel, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Cunningham, Curtis, Gilleland, Hansen, Kelley, Kopet, Kuehne, Laughlin, Patterson, Schumaker, Tilly.

Not voting: Representatives Hayner, Julin, Polk.

Senate Bill No. 3037, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3049, by Committee on State Government (Originally sponsored by Senators Dore, Marsh and Jones):

Allowing school districts to contract with its employees to defer receipt of portion of salary through investments under deferred compensation program.

The bill was read the second time.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3049 was placed on final passage.

Representatives Gaspard and Bauer spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3049, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett,

Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpocho, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Johnson.

Not voting: Representatives Hayner, Jastad.

Substitute Senate Bill No. 3049, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, consideration of SENATE BILL NO. 3077 was deferred and the bill was ordered placed on tomorrow's second reading calendar.

SUBSTITUTE SENATE BILL NO. 3106, by Committee on Transportation and Utilities (Originally sponsored by Senators Walgren, Wanamaker, Sellar, Lewis [Bob], Knoblauch, Washington, Guess, Peterson [Lowell], Bottiger, Jolly, Henry and Keefe):

Establishing a maximum 55 mile per hour speed limit on public highways.

The bill was read the second time.

Committee on Transportation and Utilities recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-second day, 3rd ex. sess., February 4, 1974.)

On motion of Mr. Beck, the committee amendments were adopted.

#### POINT OF INQUIRY

Mr. Beck yielded to question by Mr. Cunningham.

Mr. Cunningham: "Representative Beck, in reading the digest, and in reading the amendment, does this authorize the changing of speed limits on some of the rural roads without an engineering study?"

Mr. Beck: "No."

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3106 as amended by the House, was placed on final passage.

Representatives Beck, Smith and Ceccarelli spoke in favor of the bill, and Mr Kelley spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3106 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 7; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Ehlers, Gaines, Gallagher, Goltz, Kelley, Kuehnle.

Not voting: Representative Hayner.

Substitute Senate Bill No. 3106, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE JOINT RESOLUTION NO. 143, by Senator Grant:

Proposing an amendment to the Washington Constitution on qualifications of electors.

The resolution was read the second time.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendment, see Journal for twenty-second day, 3rd ex. sess., February 4, 1974.)

On motion of Mr. King, the committee amendment was adopted.

On motion of Mr. Van Dyk, the rules were suspended, the second reading considered the third, and Senate Joint Resolution No. 143 as amended by the House, was placed on final passage.

Mr. King spoke in favor of the resolution.

## POINT OF INQUIRY

Mr. King yielded to question by Mr. Julin.

Mr. Julin: "Representative King, in light of the statement that you just made, the question in my mind is why is this measure necessary if all these people that are supposed to be voting, are being permitted to vote now?"

Mr. King: "There is no potential challenge. The original bill dealt with only the prohibition of native American Indians, untaxed, from voting. The recommendation came from the people that are concerned with human rights--the impact of the image of this portion of our society. A number of Indians felt badly about the reservation status and whether or not they could vote; that was the original impetus for it. Once that started, since it dealt with language that was out of date, this was simply a housekeeping amendment to our Constitution to make it conform with what we are now doing. I suppose the argument for doing it is that we recognize who it is."

## ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Resolution No. 143 as amended by the House, and the resolution passed the House by the following vote: Yeas, 90; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Eikenberry, Julin, Kuehnle, Matthews, Polk, Schumaker.

Not voting: Representatives Hayner, Juelling.

Senate Joint Resolution No. 143 as amended by the House, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1024. by Representatives Fortson, Bender, Clemente, North (Frances), Hansen, Pullen and Van Dyk:

Exempting community property from inheritance taxes when transferred to the surviving spouse.

The bill was read the second time.



Mrs. Fortson moved adoption of the following amendment:  
On page 1, after the enacting clause strike the remainder of the bill and insert as follows:

"Section 1. Section 83.08.020, chapter 15, Laws of 1961 and RCW 83.08.020 are each amended to read as follows:

Any devise, bequest, legacy, gift or beneficial interest to any property or income therefrom which shall pass to any lineal ancestor, lineal descendant, husband, wife, stepchild or lineal descendant of a stepchild, adopted child or lineal descendant of an adopted child, adopted child of the lineal descendant, son-in-law, or daughter-in-law of the decedent is denominated class A. On any amount passing to class A up to and including twenty-five thousand dollars, one percent; on any amount in excess of twenty-five thousand dollars up to and including fifty thousand dollars, two percent; on any amount in excess of fifty thousand dollars up to and including seventy-five thousand dollars, three percent; on any amount in excess of seventy-five thousand dollars up to and including one hundred thousand dollars, four percent; on any amount in excess of one hundred thousand dollars up to and including two hundred thousand dollars, seven percent; on any amount in excess of two hundred thousand dollars up to and including five hundred thousand dollars, nine percent; on any amount in excess of five hundred thousand dollars, ten percent: PROVIDED, That except as otherwise provided by statute there shall be allowed as an exemption to class A the following amounts: (A-1) Five thousand dollars of any amount passing to class A, and in addition thereto (A-2) ~~((five))~~ twenty-five thousand dollars for the surviving spouse and five thousand dollars for each living child born prior to the death of the decedent, stepchild, or adopted child; and in addition thereto (A-3) five thousand dollars for the living descendants of any deceased child, stepchild, or adopted child per stirpes and not per capita. The exemptions fixed by (A-2) and (A-3) shall be allowed regardless of the amounts passing to the persons named therein. If no person in class A as defined in (A-2) and (A-3) survives the decedent then there shall be allowed as an additional exemption to class A the sum of five thousand dollars. All of the amounts specified in A-1, A-2 and A-3 shall be allowed as exemptions to class A as a whole and not to the persons mentioned therein, which exemptions shall include all allowances in lieu of homestead and all family allowances in excess of one thousand dollars.

In computing the tax liability under class A the aggregate amount of the exemption shall be deducted from that portion of the total amount of the estate passing to beneficiaries which is taxable at the lowest rates specified herein.

NEW SECTION. Sec. 2. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Mrs. Fortson spoke in favor of the amendment, and Mr. Charette spoke against it.

Mr. Parker spoke in favor of passage of the amendment, and Mr. Charette spoke again in opposition to it.

The amendment was not adopted on a rising vote.

House Bill No. 1024 was passed to the Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2946, as amended by the House, by Committee on Parks and Recreation (Endorsed by Senators Knoblauch, Jones, Canfield, Bailey, Woody and Wanamaker):

Implementing the law of state shorelands and tidelands.

The House resumed consideration of Engrossed Senate Bill No. 2946 on second reading.

Mr. Honan moved adoption of the following amendment by Representatives Honan and Newhouse:

On page 3, section 2, line 8 beginning with "The" on line 8 strike all material down to and including "state." on line 16

Debate ensued, Representatives Honan, Newhouse and Julin speaking in favor, and Representatives Hurley and Martinis speaking against the amendment.

Mr. Conner demanded the previous question, and the demand was sustained.

The amendment was not adopted on a rising vote.

Engrossed Senate Bill No. 2946, as amended by the House, was passed to the Committee on Rules for third reading.

#### MESSAGE FROM THE SENATE

February 5, 1974

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2095,  
 SUBSTITUTE SENATE BILL NO. 2120,  
 SENATE BILL NO. 2937,  
 SENATE BILL NO. 3029,  
 SUBSTITUTE SENATE BILL NO. 3032,  
 ENGROSSED SENATE JOINT MEMORIAL NO. 134,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) stated that the Speaker was about to sign:

SUBSTITUTE HOUSE BILL NO. 1469,  
 SENATE BILL NO. 2095,

SUBSTITUTE SENATE BILL NO. 2120,  
SENATE BILL NO. 2937,  
SENATE BILL NO. 3029,  
SUBSTITUTE SENATE BILL NO. 3032,  
ENGROSSED SENATE JOINT MEMORIAL NO. 134.

## MOTIONS

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

On motion of Mr. Charette, HOUSE BILL NO. 380 and HOUSE BILL NO. 1043 were rereferred from the Committee on Ways and Means - Appropriations to the Committee on Ways and Means - Revenue.

## RESOLUTIONS

HOUSE RESOLUTION NO. 74-164, by Representatives Perry, Charnley and Douthwaite:

WHEREAS, The Washington State Highway Commission is currently considering whether to allow the operation of longer combinations of trucks, tractors, trailers, and semitrailers on the highways of this state; and

WHEREAS, These longer combinations, commonly called triple trailers, may be as long as one hundred and five feet in overall length; and

WHEREAS, The extreme length of such longer combinations makes them hazardous for the men who must drive them; and

WHEREAS, Their extreme length makes such longer combinations hazardous to motorists who must operate their vehicles on the same highways; and

WHEREAS, The weight of such longer combinations under load makes them overly destructive of the highways of this state; and

WHEREAS, The Highway Commission is considering whether such longer combinations shall be allowed to be operated by special permit on the highways of this state;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the operation of such longer combinations on the highways of this state would be detrimental to the best interests of the people of this state;

AND BE IT FURTHER RESOLVED, That it is the belief and desire of the House of Representatives that the Highway Commission should not permit the operation of such longer combinations on the highways of this state;

AND BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to the Governor of the state of Washington, and to the Washington State Highway Commission.

Mr. Perry moved adoption of the resolution and spoke in favor of it.

Mr. Conner demanded an electric roll call, and the demand was sustained.

Representatives Beck and Douthwaite spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the adoption of House Floor Resolution No. 74-164, and the resolution passed the House by the following vote: Yeas, 88; nays, 0; not voting, 10.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman.

Not voting: Representatives Benitz, Garrett, Hayner, Matthews, Morrison, Nelson, Newhouse, Pardini, Wilson, and Mr. Speaker.

House Floor Resolution No. 74-164, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Thompson, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 4, 1974

HOUSE BILL NO. 1037. Prime sponsor: Representative Kilbury, regulating the egg industry, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairman; Bluechel, Brown, Eikenberry, Erickson, Goltz, Hurley, Julin, Kilbury, King, Moon, Pardini.

February 4, 1974

HOUSE BILL NO. 1505. Prime sponsor: Representative Haussler, revising cigarette tax, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, section 7, beginning on line 30 after "cigarette" strike all material down to and including "by them" on page 6, line 4 and insert "(7 but the provisions

of REW 82:24:070 allowing dealers' compensation for affixing stamps shall not apply to this additional tax. Instead, wholesalers subject to the provisions of chapter 82:24 REW shall be allowed as compensation for their services in affixing the stamps for the additional tax required by this section a sum equal to one-half of one percent of the value of the stamps for such additional tax purchased or affixed by them) "

On page 7, section 8, beginning on line 9 after "cigarette" strike all material down to and including "by them" on line 16 and insert "(; but the provisions of REW 82:24:070 allowing dealers' compensation for affixing stamps shall not apply to this additional tax. Instead, wholesalers subject to the provisions of chapter 82:24 shall be allowed as compensation for their services in affixing the stamps for the additional tax required by this section a sum equal to one percent of the value of the stamps for such additional tax purchased or affixed by them) "

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Benitz, Bluechel, Brown, Erickson, Flanagan, Julin, Kilbury, King, Pardini.

February 4, 1974

ENGROSSED SENATE BILL NO. 2248, Prime sponsor: Senator Woody, establishing certification procedures for court reporters, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, section 5, beginning on line 11 of the engrossed and printed bills, after "qualifications: Is" strike all material down to and including "citizens, is" on line 13

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Maxie, Shinpoch, Smith.

February 4, 1974

REENGROSSED SENATE BILL NO. 2408, Prime sponsor: Senator Walgren, authorizing remedies and penalties for violation of municipal competitive bidding requirements, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Ehlers, Gaines, Hendricks, Hurley, Kopet, Moon.

February 4, 1974

SENATE BILL NO. 2540, Prime sponsor: Senator Woody, providing for an increase in the salaries of part time district court judges, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after section 1 insert a new section as follows:

"Sec. 2. Section 13, chapter 299, Laws of 1961 as amended by section 2, chapter 147, Laws of 1971 ex. sess. and RCW 3.34.040 are each amended to read as follows:

Justices of the peace serving districts having a population of forty thousand or more persons, and justices receiving a salary greater than ((nine)) fifteen thousand dollars for serving as a justice, shall be deemed full time justices and shall devote all of their time to the office and shall not engage in the practice of law. Other justices shall devote sufficient time to the office to properly fulfill the duties thereof and may engage in other occupations but such justice shall not use the office or supplies furnished by the judicial district for his private business but shall maintain a separate office for his private business nor shall he use the services of any clerk or secretary paid for by the county for his private business."

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

On page 1, line 4 of the title after "3.58.020" and before the period insert "; and amending section 13, chapter 299, Laws of 1961 as amended by section 2, chapter 147, Laws of 1971 ex. sess. and RCW 3.34.040"

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Maxie, North (Lois), Smith.

February 4, 1974

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2634, Prime sponsor: Senator Clarke, providing for a state building code, reported by Committee on State Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 3, line 9 after "edition," insert "including Chapter 22, Fuel Gas Piping, Appendix B,"

On page 2, section 3, line 17 after "adopted" insert ": PROVIDED, That notwithstanding any wording in this code, nothing in this code shall apply to the installation of any gas piping, water heaters, or vents for water heaters"

Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Ehlers, Gaines, Hendricks, Hurley, Kopet, Moon.

February 4, 1974

ENGROSSED SUBSTITUTE SENATE BILL NO. 2675, Prime sponsor: Senator Day, revising the laws regulating chiropractic, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, section 7, line 11 after "disturbances, the" insert "chiropractic"

On page 3, section 7, line 20 after "purposes:" insert "PROVIDED, HOWEVER, That the term 'chiropractic' as defined in this act shall not prohibit a practitioner licensed under RCW 18.71 from performing accepted medical procedures, except such procedures shall not include the adjustment by hand of any articulation of the spine:"

On page 9, section 13 strike all of lines 5 through 7 of the engrossed bill, being lines 1 through 3 of the printed bill, and insert a new paragraph as follows:

"Hereafter each of said groups shall, annually, designate the members of the board who shall succeed to said position upon the expiration of said initial term. Such subsequent designations shall be for a term of three years, except the director or his designee from the department of motor vehicles."

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Fortson, Freeman, Honan, Johnson, Matthews, Savage, Wojahn.

February 5, 1974

ENGROSSED SENATE BILL NO. 2969, Prime sponsor: Senator Lewis (Harry), requiring the department of ecology to approve or disapprove air pollution variances within 60 days.

MAJORITY recommendation: Do pass. Signed by Representatives Luders, Chairman; Beck, Bluechel, Douthwaite, Goltz, Kraabel, McCormick, North (Lois), Pullen, Valle, Wilson, Zimmerman.

February 5, 1974

ENGROSSED SENATE BILL NO. 3039, Prime sponsor: Senator Day, granting certain powers to the parks and recreation committee, reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 6 after "for" strike "said lease or" and insert "television station"

On page 1, line 8 of the engrossed bill, being line 9 of the printed bill, after "rental" insert "for at least one period of not more than twenty years"

On page 1, line 9 after "That" insert "the rates in said leases shall be renegotiated at five year intervals: PROVIDED FURTHER, That"

Signed by Representatives Hurley, Chairwoman; Gaines, Vice Chairman; Ellis, Garrett, Hoggins, Honan, Randall, Savage.

February 4, 1974

ENGROSSED SENATE BILL NO. 3040, Prime sponsor: Senator Day, creating the Washington state health care facilities

authority, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Ellis, Eng, Fortson, Hendricks, Honan, Jastad, May, Paris, Rabel, Savage, Tilly.

February 5, 1974

SENATE BILL NO. 3050, Prime sponsor: Senator Woody, extending the time limit for local governments to develop a master plan for regulation under the shoreline management act, reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Luders, Chairman; Beck, Charnley, Douthwaite, Goltz, McCormick, North (Lois), Valle, Wilson, Zimmerman.

February 4, 1974

ENGROSSED SENATE BILL NO. 3064, Prime sponsor: Senator Marsh, creating the data processing revolving fund, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Amen, Bagnariol, Bausch, Charette, Curtis, Hoggins, Kopet, Luders, Polk, Smith, Thompson, Valle, Zimmerman.

February 5, 1974

ENGROSSED SENATE BILL NO. 3116, Prime sponsor: Senator Walgren, making changes in the laws relating to commercial herring licenses, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Gilleland, Haussler, Kalich, Kilbury, Schumaker.

February 4, 1974

SENATE BILL NO. 3130, Prime sponsor: Senator Walgren, appropriating moneys for the Clearcreek interchange, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Bender, Berentson, Clemente, Gaines, Gallagher, Garrett, Hansen, Kalich, Laughlin, Lysen, Martinis, Pullen, Schumaker, Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Charnley, Subcommittee Chairman; Gilleland, Kraabel, Leckenby, Patterson.



February 5, 1974

SENATE BILL NO. 3144, Prime sponsor: Senator Peterson [Lowell], making provisions for compensation for fish and wildlife losses, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Gilleland, Haussler, Kalich, Kilbury, Schumaker.

February 4, 1974

SENATE BILL NO. 3147, Prime sponsor: Senator Walgren, declaring the state ferry system to be a mass transportation system, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass with the following amendment:

On page 1, section 1, line 7 after "is a" and before "mass" insert "public"

Signed by Representatives Perry, Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Clemente, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Leckenby, Lysen, Nelson, Pullen, Wilson.

February 5, 1974

ENGROSSED SENATE BILL NO. 3168, Prime sponsor: Senator Washington, allowing hearing examiners to assist in certain functions of the pollution control hearings board, reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Luders, Chairman; Beck, Bluechel, Charnley, Douthwaite, Goltz, Kraabel, McCormick, North (Lois), Valle, Wilson, Zimmerman.

February 4, 1974

SENATE BILL NO. 3203, Prime sponsor: Senator Henry, requiring interstate motor carriers to operate within ICC authority registered with the Washington Utilities and Transportation Commission, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Clemente, Gaines, Gallagher, Garrett, Gilleland, Kalich, Laughlin, Leckenby, Nelson, Patterson, Wilson.

February 5, 1974

ENGROSSED SENATE BILL NO. 3229, Prime sponsor: Senator Durkan, conforming metro enabling legislation to

requirements of federal pollution control laws, reported by Committee on Ecology.

MAJORITY recommendation: Do pass. Signed by Representatives Luders, Chairman; Beck, Bluechel, Charnley, Douthwaite, Goltz, Kraabel, McCormick, North (Lois), Valle, Wilson, Zimmerman.

February 5, 1974

ENGROSSED SENATE BILL NO. 3351, Prime sponsor: Senator Day, changing the law relating to state and local aid to disabled persons, including mentally or physically deficient persons, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Eng, Fortson, Freeman, Hendricks, Honan, Jastad, Johnson, Matthews, May, Paris, Rabel, Savage, Tilly, Wojahn.

February 5, 1974

SENATE JOINT MEMORIAL NO. 131, Prime sponsor: Senator Mardesich, requesting that the International Joint Commission delay any decision regarding Point Roberts until after hearing the recommendations of the Washington State Legislature, reported by Committee on Parks and Recreation.

MAJORITY recommendation: Do pass. Signed by Representatives Hurley, Chairwoman; Gaines, Vice Chairman; Ellis, Garrett, Hoggins, Honan, North (Frances), Savage.

#### MOTIONS

On motion of Mr. Thompson, all bills listed on the supplemental report of standing committees were passed to the Committee on Rules for second reading.

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Wednesday, February 6, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-FOURTH DAY

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MORNING SESSION  
-----

House Chamber, Olympia, Wash., Wednesday, February 6, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Loyer of the Westminster United Presbyterian Church of Olympia.

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

MESSAGES FROM THE SENATE

February 5, 1974

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1469,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 5, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED 2ND SUBSTITUTE HOUSE BILL NO. 637,

ENGROSSED HOUSE BILL NO. 717,

ENGROSSED HOUSE BILL NO. 761,

ENGROSSED HOUSE BILL NO. 804,

ENGROSSED HOUSE BILL NO. 1031,

HOUSE BILL NO. 1240,

HOUSE BILL NO. 1261,

HOUSE BILL NO. 1272,

HOUSE BILL NO. 1302,

HOUSE BILL NO. 1309,

ENGROSSED HOUSE BILL NO. 1373,

HOUSE BILL NO. 1388,

ENGROSSED HOUSE JOINT MEMORIAL NO. 17,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 5, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3202,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 5, 1974

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3272,  
 ENGROSSED SENATE BILL NO. 3354,  
 SUBSTITUTE SENATE BILL NO. 3355,  
 SENATE BILL NO. 3362,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 5, 1974

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2627,  
 SENATE BILL NO. 3101,  
 ENGROSSED SENATE BILL NO. 3135,  
 ENGROSSED SENATE BILL NO. 3192,  
 SUBSTITUTE SENATE BILL NO. 3256,  
 SENATE BILL NO. 3257,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 3329,  
 ENGROSSED SENATE BILL NO. 3336,  
 ENGROSSED SENATE BILL NO. 3338,  
 SENATE BILL NO. 3366,  
 SENATE CONCURRENT RESOLUTION NO. 144,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 5, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 135,  
 REENGROSSED HOUSE BILL NO. 150,  
 HOUSE BILL NO. 566,  
 ENGROSSED HOUSE BILL NO. 636,  
 HOUSE BILL NO. 1206,  
 ENGROSSED HOUSE BILL NO. 1211,  
 ENGROSSED HOUSE BILL NO. 1273,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 5, 1974

Mr. Speaker:

The Senate has passed:

SECOND REENGROSSED SENATE BILL NO. 2366,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 5, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2401,

ENGROSSED SENATE JOINT MEMORIAL NO. 135,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

SECOND REENGROSSED SENATE BILL NO. 2366, by Senator Grant:

AN ACT Relating to legislative redistricting; and creating new sections.

To Committee on Constitution and Elections.

ENGROSSED SENATE BILL NO. 2401, by Senators Woody and Knoblauch:

AN ACT Relating to state government; amending section 43.51.520, chapter 8, Laws of 1965 as amended by section 2, chapter 96, Laws of 1969 ex. sess. and RCW 43.51.520; amending section 43.51.530, chapter 8, Laws of 1965 as amended by section 3, chapter 96, Laws of 1969 ex. sess. and RCW 43.51.530; amending section 43.51.540, chapter 8, Laws of 1965 and RCW 43.51.540; amending section 43.51.570, chapter 8, Laws of 1965 as amended by section 85, chapter 154, Laws of 1971 1st ex. sess. and RCW 43.51.570; amending RCW 46.16.585, section 7, chapter 200, Laws of 1973 1st ex. sess. and RCW 46.16.585; amending RCW 46.16.595, section 9, chapter 200, Laws of 1973 1st ex. sess. and RCW 46.16.595; and adding new sections to chapter 46.16 RCW.

To Committee on Ways and Means - Revenue.

SENATE BILL NO. 2627, by Senator Day:

AN ACT Relating to irrigation districts; and adding a new section to chapter 87.03 RCW.

To Committee on Agriculture.

SENATE BILL NO. 3101, by Senators Durkan, Donohue, Atwood and Lewis (Harry):

AN ACT Relating to the attachment of fiscal notes to bills and resolutions of the legislature; amending section 8, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.100 and adding a new chapter to Title 44 RCW.

To Committee on Ways and Means.

ENGROSSED SENATE BILL NO. 3135, by Senator Durkan:

AN ACT Relating to real property taxes; amending section 84.41.040, chapter 15, Laws of 1961 as amended by section 7, chapter 288, Laws of 1971 ex. sess. and RCW 84.41.040; and adding a new section to chapter 84.41

RCW.

To Committee on Ways and Means.

ENGROSSED SENATE BILL NO. 3192, by Senators Donohue, Mardesich, Sandison, Walgren, Day, Guess and Washington:

AN ACT Relating to the administrative procedure act; amending section 4, chapter 234, Laws of 1959 and RCW 34.04.040; amending section 1, chapter 186, Laws of 1963 and RCW 34.04.160; and adding a new section to chapter 34.04 RCW.

To Committee on State Government.

ENGROSSED SENATE BILL NO. 3202, by Senators Marsh, Metcalf, Sandison, Keefe, Atwood and Lewis (Harry) (by Council on Higher Education request):

AN ACT Relating to higher education; creating the college work-study program; adding new sections to chapter 223, Laws of 1969 ex. sess. and to Title 28B RCW as a new chapter thereof; creating new sections; and making an appropriation.

To Committee on Higher Education.

SUBSTITUTE SENATE BILL NO. 3256, by Committee on Ways and Means (Originally sponsored by Senators Donohue and Odegaard):

AN ACT Relating to appropriations for the operation of state government; amending section 2, chapter 137, Laws of 1973 1st ex. sess. (uncodified); making an appropriation; and declaring an emergency.

To Committee on Ways and Means.

SENATE BILL NO. 3257, by Senator Durkan:

AN ACT Relating to the creation of an antitrust revolving fund; and adding new sections to chapter 43.10 RCW.

To Committee on Ways and Means.

SENATE BILL NO. 3272, by Senator Rasmussen (by State Finance Committee request):

AN ACT Relating to the common schools and the support thereof and to general obligation bonds to be issued and to revenue bonds heretofore issued to provide such support; amending section 1, chapter 13, Laws of 1969 as amended by section 1, chapter 4, Laws of 1971 ex.

sess. and RCW 28A.47.792; amending section 3, chapter 13, Laws of 1969 and RCW 28A.47.794; amending section 5, chapter 13, Laws of 1969 as amended by section 3, chapter 4, Laws of 1971 ex. sess. and RCW 28A.47.796; adding a new section to chapter 28A.47; and declaring an emergency.

To Committee on Education.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3329, by Committee on Ecology (Originally sponsored by Senators Washington and Murray):

AN ACT Relating to studies of sites for thermal power plants and associated transmission lines; adding new sections to chapter 45, Laws of 1970 ex. sess. and to chapter 80.50 RCW; and declaring an emergency.

To Committee on Ecology.

ENGROSSED SENATE BILL NO. 3336, by Senators Washington, Stortini, Walgren and Woody:

AN ACT Relating to motor vehicle emission control; and adding a new section to chapter 238, Laws of 1967 and to chapter 70.94 RCW.

To Committee on Ecology.

ENGROSSED SENATE BILL NO. 3338, by Senator Walgren (by Department of Highways request):

AN ACT Relating to the regulation of motor vehicles; amending section 47.52.025, chapter 13, Laws of 1961 and RCW 47.52.025; adding a new section to chapter 46.61 RCW; and adding a new section to chapter 47.52 RCW.

To Committee on Transportation and Utilities.

ENGROSSED SENATE BILL NO. 3354, by Senator Rasmussen (by State Finance Committee request):

AN ACT Relating to financing by the state, its agencies, institutions, political subdivisions, and municipal and quasi-municipal corporations; amending section 8, chapter 184, Laws of 1971 ex. sess. and RCW 39.42.080; amending section 3, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.020; amending section 6, chapter 138, Laws of 1965 ex. sess. and RCW 39.53.050; amending section 7, chapter 25, Laws of 1973 1st ex. sess. and RCW 39.53.140; and declaring an emergency.

To Committee on State Government.

SUBSTITUTE SENATE BILL NO. 3355, by Committee on Higher Education (Originally sponsored by Senator Rasmussen - by State Finance Committee request):

AN ACT Relating to community colleges; amending section 20, chapter 15, Laws of 1970 ex. sess. as amended by section 20, chapter 279, Laws of 1971 ex. sess. and RCW 28B.50.360; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW; and declaring an emergency.

To Committee on State Government.

SENATE BILL NO. 3362, by Senator Rasmussen (by State Finance Committee request):

AN ACT Relating to state government; providing for the refunding of certain state capitol committee bonds by issuance of refunding bonds; creating new sections; adding new sections to Title 43 RCW as a new chapter thereto; and declaring an emergency.

To Committee on State Government.

SENATE BILL NO. 3366, by Senators Peterson (Lowell) and Wanamaker:

AN ACT Relating to public utility districts; and amending section 2, chapter 159, Laws of 1967 as amended by section 2, chapter 7, Laws of 1973 1st ex. sess. and RCW 54.44.020.

To Committee on Transportation and Utilities.

ENGROSSED SENATE JOINT MEMORIAL NO. 135, by Senators Whetzel, Murray, Van Hollebeke and Guess:

Memorializing Congress relative to motor vehicle emission standards.

To Committee on Ecology.

SENATE CONCURRENT RESOLUTION NO. 144, by Senators Mardesich, Woody and Atwood:

Establishing a select committee to study Point Roberts.

To Committee on Parks and Recreation.

#### MOTION

On motion of Mr. Thompson, all bill, memorials and resolutions listed on the agenda on fourth order of business were referred to the committees designated with



the exception of the following: SENATE BILL NO. 2627, to be referred to the Committee on Transportation and Utilities; SENATE BILL NO. 3272, to be referred to the Committee on State Government; and ENGROSSED SENATE BILL NO. 3366, to be referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

February 4, 1974

ENGROSSED SENATE BILL NO. 2488, Prime sponsor: Senator Van Hollebeke, amending the implied consent law to permit a person who has refused the test to plead guilty and keep his license, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 4 strike "Sec. 14" and insert "Section 1"

On page 1, section 1, line 24 after "driving" insert "or of being in actual physical control of" restoring the words stricken by Senator Washington's amendment to page 1

On page 2, section 1, line 9 of the engrossed bill, being line 10 of the printed bill, after "driving" insert "or of being in actual physical control of" restoring the words stricken by Senator Washington's amendment to lines 10 and 11

On page 2, section 1, line 20 of the engrossed bill, being line 21 of the printed bill, after "driving" insert "or of being in actual physical control of" restoring words stricken by Senator Washington's amendment to line 22

On page 2, section 1, line 27 of the engrossed bill, being line 30 of the printed bill, after "driving" insert "or of being in actual physical control of" restoring words stricken by Senator Washington's amendment to line 30

On page 3, section 1, line 16 of the engrossed bill, being line 19 of the printed bill, after "driving" insert "or of being in actual physical control of" restoring words stricken by Senator Washington's amendment to lines 19 and 20

On page 3, line 20 of the engrossed bill, being line 24 of the printed bill, after "driving" insert "or of being in actual physical control of" restoring words stricken by Senator Washington's amendment to lines 24 and 25

On page 1, line 2 of the title after "Laws of" strike "1961" and insert "1969"

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Hayner, Newhouse, Smith, Sommers.

February 5, 1974

ENGROSSED SENATE BILL NO. 2904, Prime sponsor: Senator Dore, relating to savings and loan associations, reported by Committee on Financial Institutions.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, following the enacting clause strike the remainder of the bill and insert the following:

"Section 1. Section 7, chapter 280, Laws of 1959 as amended by section 2, chapter 107, Laws of 1969 and RCW 33.08.110 are each amended to read as follows:

An association with the written approval of the supervisor, may establish and operate branches in any county of the state.

An association desiring to establish a branch shall file a written application therefor with the supervisor, who shall approve or disapprove the application within six months after receipt.

((A branch shall not be established at a place in which the supervisor would not permit a proposed new association to engage in business, by reason of any consideration contemplated by RCW 33.08.060 as now or hereafter amended:)) The supervisor's approval shall be conditioned on a finding that the resources in the neighborhood of the proposed location and in the surrounding country offer a reasonable promise of adequate support for their proposed branch and that the proposed branch is not being formed for other than the legitimate objects covered by this title. A branch shall not be established or permitted if the contingent fund, loss reserves and guaranty stock are less than the aggregate paid-in capital which would be required by law as a prerequisite to the establishment and operation of an equal number of branches in like locations by a commercial bank. If the application for a branch is not approved, the association shall have the right to appeal in the same manner and within the same time as provided by RCW 33.08.070 as now or hereafter amended. The association when delivering said application to the supervisor shall transmit to him a check for five hundred dollars to cover the expense of the investigation. An association shall not move any office from its immediate vicinity without prior approval of the supervisor."

On page 1, strike the title and insert the following:

"AN ACT Relating to savings and loan associations; and amending section 7, chapter 280, Laws of 1959 as amended by section 2, chapter 107, Laws of 1969 and RCW 33.08.110."

Signed by Representatives Ceccarelli, Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Leckenby, Luders, Pardini, Parker, Polk.

February 4, 1974

SENATE BILL NO. 3016, Prime sponsor: Senator Atwood, implementing the laws relating to driving a motor vehicle while under the influence of alcohol, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Gaspard, Newhouse, Shinpoch, Smith, Sommers.

February 5, 1974

SENATE BILL NO. 3027, Prime sponsor: Senator Talley, defining "uniformed personnel" for purposes of public employees' collective bargaining, reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, King, May, Parker.

February 5, 1974

SENATE BILL NO. 3159, Prime sponsor: Senator Sandison, transferring certain duties of state board of education relating to higher education to the council on higher education in the state of Washington, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Maxie, Chairwoman; Goltz, Vice Chairman; Benitz, Charnley, Erickson, Freeman, Knowles, Kraabel, Patterson, Valle, Wojahn.

February 5, 1974

ENGROSSED SENATE BILL NO. 3235, Prime sponsor: Senator Rasmussen, including nursing home employees within the minimum wage act, reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Beck, King, May, Parker.

February 5, 1974

ENGROSSED SENATE BILL NO. 3284, Prime sponsor: Senator Peterson (Lowell), making changes in the laws relating to the disposition of certain food fish and shellfish, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Conner, Gilleland, Hansen, Hansey, Haussler, Kilbury, Kishimoto, Schumaker.

February 5, 1974

SENATE BILL NO. 3285, Prime sponsor: Senator Peterson (Lowell), making changes in the laws relating to the disposition of moneys from the sale of certain food fish and shellfish, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass. Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Conner, Gilleland, Hansen, Hansey, Haussler, Kilbury, Kishimoto, Schumaker.

## MOTION

On motion of Mr. Thompson, all bills listed on the fifth order of business were passed to the Committee on Rules for second reading.

## SECOND READING

ENGROSSED SENATE BILL NO. 3078, by Committee on Agriculture (Endorsed by Senators Jolly, Sellar, Day, Donohue and Washington):

Making changes in the laws relating to commission merchants.

The bill was read the second time.

Mr. Flanagan moved adoption of the following amendment: On page 1, line 17 insert a new section to read as follows:

"Section 1. Section 9-204, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-204 are each amended to read as follows:

(1) A security interest cannot attach until there is agreement (subsection (3) of RCW 62A.1-201) that it attach and value is given and the debtor has rights in the collateral. It attaches as soon as all of the events in the preceding sentence have taken place unless explicit agreement postpones the time of attaching.

(2) For the purposes of this section the debtor has no rights

(a) in crops until they are planted or otherwise become growing crops, in the young of livestock until they are conceived;

(b) in fish until caught, in oil, gas or minerals until they are extracted, in timber until it is cut;

(c) in a contract right until the contract has been made;

(d) in an account until it comes into existence.

(3) Except as provided in subsection (4) a security agreement may provide that collateral, whenever acquired, shall secure all obligations covered by the security agreement.

(4) No security interest attaches under an after-acquired property clause

(a) to crops which become such more than one year after the security agreement is executed except that a security interest in crops which is given in conjunction with a lease or a land purchase or improvement transaction evidenced by a contract, mortgage or deed of trust may if so agreed attach to crops to be grown on the land concerned during the period of such real estate transaction;

(b) to consumer goods other than accessions, (RCW 62A.9-314) when given as additional security unless the debtor acquires rights in them within ten days after the secured party gives value.

(5) Obligations covered by a security agreement may include future advances or other value whether or not the advances or value are given pursuant to commitment.

(6) A security interest cannot attach to livestock or to meat or meat products made from such livestock, where (a) the livestock was sold to the debtor by another party, (b) this other party has been paid by draft or check, and (c) the draft or check remains outstanding: PROVIDED, That a security interest may attach when the draft or check has been outstanding more than ten days."

Renumber the remaining sections consecutively

Mr. Flanagan spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Flanagan yielded to question by Mr. Cunningham.

Mr. Cunningham: "Representative Flanagan, what will this amendment do to the person who at present simply contracts feed cattle? The cattle, as you know, can be mortgaged, and you will supply the feed, and the law, the way it is now, if you are not paid for the feed, you in turn take a first mortgage over even the bank loan."

Mr. Flanagan: "Representative Cunningham, this applies only to checks or drafts that have been issued to a seller of livestock. It is limited completely to that. It doesn't involve itself in payment in other ways--just through a check or draft that has not been honored. If the check or draft has not been honored then the bank can't claim that meat or carcass hanging in the cooler as coming under their mortgage. There is a 10-day period allowed there for the person to get that draft or check honored, otherwise they can't claim that as part of their mortgage."

Mr. Van Dyk spoke in favor of the amendment.

The amendment was adopted.

On motion of Mr. Flanagan, the following amendment to the title was adopted:

On page 1, line 1 of the title after "merchants;" insert "amending section 9-204, chapter 157, Laws of 1965 ex. sess. and RCW 62A.9-204;"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3078 as amended by the House was placed on final passage.

Mr. Kilbury spoke in favor of the bill.

On motion of Mr. Van Dyk, further consideration of Engrossed Senate Bill No. 3078 as amended by the House was deferred, and the bill was ordered held for tomorrow's third reading calendar.

SECOND REENGROSSED SENATE BILL NO. 2004, by Senators Herr, Stortini and Van Hollebeke:

Providing for a state lottery.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-third day, 3rd ex. sess., February 5, 1974.)

Mrs. Wojahn moved adoption of the committee amendment.

Mr. Charnley moved adoption of the following amendment to the committee amendment:

On page 1, section 2, line 21 after "lottery" insert "shall be appointed by the commission and"

Representatives Charnley and Wojahn spoke in favor of the amendment to the amendment, and it was adopted.

Mrs. North (Lois) moved adoption of the following amendment to the committee amendment by Representatives North (Lois), Bluechel, Brown, Nelson, Matthews, Barnes and Morrison:

On page 3, section 3, line 13 after "fund" insert "": PROVIDED, FURTHER, That the moneys transferred to the general fund shall be allocated to the Superintendent of Public Instruction and utilized by him for the sole purpose of providing special levy relief through the school apportionment formula"

#### POINT OF ORDER

Mr. Newhouse: "I believe that I have an amendment that goes in the bill before this one."

The Speaker (Mr. O'Brien presiding): "Perhaps you do, Representative Newhouse, but I don't think it has any bearing on this amendment. Under our rules, we can handle all of these amendments."

#### PARLIAMENTARY INQUIRY

Mr. Bluechel: "In this section of the bill, and especially at page 3, section 3, line 13, there are two or three amendments that apply to that section in addition to Representative Newhouse's amendment. Would you give us the order in which you are going to consider these?"

The Speaker (Mr. O'Brien presiding): "Apparently the amendments to this section, section 3, aren't in conflict and we are handling the proviso first. The other amendments pertain to percentage changes."

Mrs. North (Lois) spoke in favor of the amendment to the committee amendment, and Mrs. Wojahn spoke against it.

Mr. Berentson demanded an electric roll call and the demand was sustained.

Representative Bluechel spoke in favor of the amendment, and Representatives Amen and King spoke against it.

#### POINT OF ORDER

Mr. Pardini: "Mr. King is not addressing himself to the amendment before us, but to last year's budget."

The Speaker (Mr. O'Brien presiding): "I think Mr. King should have some latitude, Mr. Pardini."

Mr. King continued his remarks against the amendment to the committee amendment.

Representatives Newhouse, Brown, Wilson, Johnson, Pullen, Nelson, Laughlin and North (Lois) spoke in favor of the amendment, and Representatives Moon and Gallagher spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative North (Lois) and others to page 3, line 13 of the committee amendment to Second Reengrossed Senate Bill No. 2004, and the amendment was adopted by the following vote: Yeas, 56; nays, 40; not voting, 2.

Voting yeas: Representatives Barnes, Bauer, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Johnson, Juelling, Julin, Kalich, Kishimoto, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, Morrison, Nelson, Newhouse, North F., North L., Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Sommers, Tilly, Valle, Warnke, Williams, Wilson, Zimmerman.

Voting nays: Representatives Adams, Amen, Anderson, Bagnariol, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hurley, Jastad, Kilbury, King, Kopet, Kuehnle, Martinis, May, McCormick, Moon, O'Brien, Pardini, Parker, Randall, Savage, Shinpoch, Smith, Thompson, Van Dyk, Wojahn, and Mr. Speaker.

Not voting: Representatives Kelley, Perry.

#### PARLIAMENTARY INQUIRY

Mr. Charnley: "I would like to ask the Chair if we are going to proceed through these many amendments in the order that they appear in the bill, page by page?"

The Speaker (Mr. O'Brien presiding): "We are attempting to do that, Mr. Charnley."

Mr. Newhouse moved adoption of the following amendment to the committee amendment:

On page 3, section 3, line 1 strike "forty-five" and insert "seventy"

Mr. Newhouse spoke in favor of the amendment and Mrs. Wojahn spoke against it.

Mr. Newhouse again spoke in favor of the amendment to the committee amendment, and Mrs. Wojahn again spoke in opposition to it.

#### POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Wojahn, Representative Newhouse mentioned the situation in some other states, and I think we need to have a basis for judgment here. Could you give us some facts regarding the states of New Jersey, New York or Michigan, regarding how much money goes back to the people and how much goes into the general fund or for administration, etc.?"

Mrs. Wojahn: "I can give you some population figures which would indicate a portion of your answer: The state of New York, which has finally gotten a lottery going and participation is exceeding the population of the City of New York, is greater than the population of the whole state of Washington, so obviously, they might be able to do this. The population of New Jersey, which has had a successful lottery, is twice that of the state of Washington. I don't have the figures on the other states, but I can assure you that the population of Michigan is far greater than the population of Washington state. I don't have the other figures, but I can find them and give them to you."

#### POINT OF INQUIRY

Mrs. Johnson yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "What, specifically, are the facts in the state of Michigan?"

Mrs. Johnson: "I have checked the population of the state of Michigan and it is 9,875,083 as of the 1973 census, which is the latest census figure available. That is about twice that of the state of Washington. I would also say to you that in their first month of operation with a fifty cent ticket they had averaged about 5 million tickets per week in gross sales, and, of course, they did say that once the initial interest of the state lottery declined then they had to go to other methods of advertising to keep the interest that would bring them the same kind of revenue they had experienced. They, as the state of Washington may, used the Canadian Broadcasting System, which reached about 65 to 75% of the people, attracting the sale of tickets. They have gone to other ways of encouraging the sale of lottery tickets--vending



machines are one thing they are looking into today. They have a subscription system within their state whereby their residents, about 47,000 of them, participate in the lottery through that kind of a service."

Mr. Newhouse spoke in favor of the amendment to the committee amendment, and Mr. Gallagher spoke against it.

The amendment was not adopted.

Mr. Cunningham moved adoption of the following amendment to the committee amendment:

On page 3, section 3, line 1 after "than" strike "forty-five" and insert "forty"

Mr. Cunningham spoke in favor of the amendment, and Mrs. Wojahn spoke against it.

Mr. Cunningham spoke again in favor of the amendment to the committee amendment, and Representatives Beck, Wojahn and Wilson spoke against it.

The amendment was not adopted.

Mr. Bluechel moved adoption of the following amendment to the committee amendment:

On page 3, section 3, line 13 following the floor amendment by Representative North (Lois), after "formula" insert ": PROVIDED, FURTHER, That during the first year of operation only, the payment of costs shall not exceed twenty-five percent of the gross income from such lottery and further that no less than thirty percent of the total revenues accruing from the sale of lottery tickets or shares shall be transferred to the Superintendent of Public Instruction and utilized by him for the sole purpose of providing special levy relief through school apportionment formula."

Mr. Bluechel spoke in favor of the amendment, and Mrs. Wojahn spoke against it.

Mr. Bluechel spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Cunningham moved adoption of the following amendment:

On page 8, section 11, line 12 after "a" insert "gross"

Mr. Cunningham spoke in favor of the amendment to the committee amendment, and Mrs. Wojahn spoke against it.

The amendment was not adopted.

Mr. Bluechel moved adoption of the following amendment to the committee amendment by Representatives Bluechel, Matthews, Curtis and Hendricks:

On page 8, section 13, line 25 after "transfer" insert ": PROVIDED, That moneys transferred to the general fund

shall be allocated to the Superintendent of Public Instruction and utilized by him for the sole purpose of providing special levy relief"

Mr. Bluechel spoke in favor of the amendment, and Mrs. Wojahn spoke against it.

The amendment was not adopted on a rising vote.

Mr. Cunningham moved adoption of the following amendment to the committee amendment:

On page 10, line 13 strike all of section 19 and renumber the remaining sections consecutively

Mr. Cunningham spoke in favor of the amendment, and Mrs. Wojahn spoke against it.

Mr. Cunningham spoke again in favor of the amendment, and Mr. Gallagher spoke in opposition to it.

The amendment was not adopted.

Mr. Pullen moved adoption of the following amendment to the committee amendment:

On page 11, section 23, line 19 strike the last sentence of section 23 beginning with "If"

Mr. Pullen spoke in favor of the amendment, and Mrs. Wojahn spoke against it.

#### POINT OF INQUIRY

Mr. Pullen: "Would Representative Wojahn yield to question, please?"

Mrs. Wojahn refused to yield to question.

Representatives Blair and Pullen spoke in favor of the amendment to the committee amendment, and Representatives Moon and Charette spoke in opposition to it.

The amendment was not adopted.

Mr. Matthews moved adoption of the following amendment by Representatives Matthews and Rabel to the committee amendment:

On page 11, section 24, line 33 after "lottery" strike the period and insert ": PROVIDED, That such repayment shall be accomplished no later than the end of the biennium next succeeding the biennium within which this act becomes effective."

Mr. Matthews spoke in favor of the amendment, and Mrs. Wojahn spoke against it.

The amendment to the committee amendment was not adopted.

On motion of Mrs. Wojahn, the following amendments to the committee amendment were adopted:

On page 12, line 8 of the printed committee amendment after "defined in" strike "SHB 29" and insert "Second Reengrossed Senate Bill 2004"

On page 12, line 10 of the printed committee amendment after "provisions of" strike "SHB 29" and insert "Second Reengrossed Senate Bill 2004"

Mr. Pullen moved adoption of the the following amendment by Representatives Pullen, Zimmerman, Paris and Matthews to the committee amendment:

On page 13, line 21 add a new section as follows:

"NEW SECTION. Sec. 27. This 1974 amendatory act shall be submitted to the people for their adoption and ratification, or rejection, at the next general election, to be held in the state in accordance with the provisions of section 1, Article II of the Constitution of the state of Washington, and section 24, Article II of the Constitution of the state of Washington, as amended, and the Laws adopted to facilitate the operation thereof."

Mr. Pullen spoke in favor of the amendment, and Mrs. Wojahn spoke against it.

Mr. Zimmerman spoke in favor of the amendment to the committee amendment.

The amendment was lost.

The committee amendment as amended was adopted.

On motion of Mrs. Wojahn, the committee amendment to the title was adopted.

#### MOTION

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Second Reengrossed Senate Bill No. 2004 as amended by the House be placed on final passage.

Mr. Charette demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to advance Second Reengrossed Senate Bill No. 2004 as amended by the House, to third reading and final passage, and the motion was carried by the following vote: Yeas, 76; nays, 18; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Haussler, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Kalich,

Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., O'Brien, Pardini, Parker, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinoch, Smith, Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Benitz, Berentson, Charnley, Goltz, Hansey, Hayner, Kishimoto, Leckenby, Matthews, Morrison, Newhouse, North L., Paris, Patterson, Rabel, Van Dyk, Zimmerman.

Not voting: Representatives Hoggins, Julin, Kelley, Kraabel.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be Second Reengrossed Senate Bill No. 2004 as amended by the House on final passage.

Debate ensued, Representatives Gallagher, Wojahn, Ceccarelli and Conner speaking in favor of the bill, and Representatives Zimmerman, Amen, Newhouse, Goltz, Leckenby, Rabel and Van Dyk speaking against its passage.

Mr. Pardini demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Reengrossed Senate Bill No. 2004 as amended by the House, and the bill passed the House by the following vote: Yeas, 59; nays, 38; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Clemente, Conner, Ehlers, Ellis, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Hansen, Haussler, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, King, Knowles, Kopet, Kraabel, Laughlin, Lysen, Martinis, May, McCormick, Moon, Nelson, North F., O'Brien, Pardini, Parker, Perry, Savage, Schumaker, Shinoch, Smith, Sommers, Thompson, Valle, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Charnley, Chatalas, Cunningham, Curtis, Douthwaite, Eikenberry, Eng, Flanagan, Garrett, Goltz, Hansey, Hayner, Hoggins, Julin, Kilbury, Kishimoto, Kuehnle, Leckenby, Luders, Matthews, Maxie, Morrison, Newhouse, North L., Paris, Patterson, Polk, Pullen, Rabel, Randall, Tilly, Van Dyk, Williams, Zimmerman.

Not voting: Representative Kelley.

Second Reengrossed Senate Bill No. 2004 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Mr. Charette, Second Reengrossed Senate Bill No. 2004 as amended by the House was ordered transmitted immediately to the Senate.

On motion of Mr. Thompson, HOUSE BILL NO. 29 was rereferred to the Committee on Rules.

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

## RESOLUTION

HOUSE RESOLUTION NO. 74-173, by Representative Thompson:

WHEREAS, The month of February is traditionally recognized as Heart Month, and for many years the Washington State Heart Association has exerted a widespread public information program to the end that our citizens would become more aware of the devastating death rate due to heart disease and the various complications of heart problems; and

WHEREAS, During this year of 1974, the Washington State Heart Association in cooperation with CIBA Pharmaceutical Company is engaging in a state-wide effort known as CHEC--Community Hypertension Evaluation Clinics--so that our citizens can avail themselves of this free opportunity to have their blood pressure checked; and

WHEREAS, High blood pressure has now been recognized as a serious national health problem and there may be upwards of ten million people who do not know they have high blood pressure nor are cognizant of the serious effects this fact may have on their health; and because community programs conducted so far in the state of Washington in Cowlitz County, Clark County and Southcenter, Seattle, with clinics also scheduled for Wenatchee, Yakima and Tacoma, it has been determined that one out of seven Washingtonians has high blood pressure; and

WHEREAS, It should be the duty of the Legislature to show positive leadership in this unique program.

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That on Wednesday the 6th day of February, 1974, members of the House of Representatives who wish to do so, will, between the hours of 11 a.m. and 3 p.m., submit themselves to the simplified procedures to be set up within the confines of the House Chamber to participate in a demonstration of leadership in program CHEC--Community Hypertension Evaluation Clinic.

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted to the Executive Director of the Washington State Heart Association and to CIBA Pharmaceutical Company, Summit, New Jersey, as an official endorsement of the Legislature of the State of Washington.

Mr. Thompson moved adoption of the resolution, and spoke in favor of it.

House Resolution No. 74-173 was adopted.

MOTION

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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AFTERNOON SESSION  
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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Kelley who was excused.

MESSAGE FROM THE SENATE

February 6, 1974

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2429,  
SENATE BILL NO. 2551,  
SENATE BILL NO. 3022,  
SENATE BILL NO. 3037,  
SUBSTITUTE SENATE BILL NO. 3049,  
  
SENATE BILL NO. 3184,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker has signed:

SUBSTITUTE SENATE BILL NO. 2429,  
SENATE BILL NO. 2551,  
SENATE BILL NO. 3022,  
SENATE BILL NO. 3037,  
SUBSTITUTE SENATE BILL NO. 3049,  
SENATE BILL NO. 3184.

MOTION

On motion of Mr. Thompson, the House reverted to the sixth order of business.

## SECOND READING

SENATE BILL NO. 3077, by Committee on Agriculture (Endorsed by Senators Jolly, Sellar, Washington, Day, Donohue and Matson):

Requiring identification of horses under certain conditions.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3077 was placed on final passage.

Mr. Kilbury spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3077, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Berentson, Douthwaite, Gaspard, Kelley, Kraabel, Matthews, Tilly, Wilson.

Senate Bill No. 3077, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 670, by Committee on Transportation and Utilities (Originally sponsored by Representatives Nelson, Gilleland, Charnley and Beck):

Authorizing and funding for public transportation systems.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 670 was placed on final passage.

Representatives Perry and Nelson spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 670, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Flanagan, Randall.

Not voting: Representatives Brown, Kelley, Parker.

Substitute House Bill No. 670, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Thompson, the following bills were moved to the top of the second reading calendar in the order given: Engrossed Senate Bill No. 3351, Engrossed Second Substitute Senate Bill No. 2634, Engrossed Substitute Senate Bill No. 2675, Engrossed Senate Bill No. 3168, Engrossed Third Substitute Senate Bill No. 2843, Senate Bill No. 3050, Engrossed Senate Bill No. 3058, Engrossed Senate Bill No. 3116 and Engrossed Senate Bill No. 3003.

ENGROSSED SENATE BILL NO. 3351, by Senator Day:

Changing law relating to state and local aid to disabled persons, including mentally or physically deficient persons.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3351 was placed on final passage.

Mr. Conner spoke in favor of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3351, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Bender, Clemente, Kelley, Nelson.

Engrossed Senate Bill No. 3351, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2634, by Committee on Local Government (Originally sponsored by Senators Clarke, Guess and Fleming - by Executive request):

Providing for a state building code.

The bill was read the second time.

Committee on State Government recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-third day, 3rd ex. sess., February 5, 1974.)

On motion of Mr. Williams, the committee amendments were adopted.

On motion of Mr. Conner, the following amendments were adopted:

On page 4, after section 11 add a new section to read as follows:

"NEW SECTION. Sec. 12. There is added to chapter 219, Laws of 1971 and to chapter 70.92A RCW a new section to read as follows:

All buildings built in accordance with the standards and specifications set forth in this chapter, or containing facilities that are in compliance therewith, shall display the following symbol, which is white on a blue background indicating the location of such facilities designed for the

handicapped. When a building contains an entrance other than the main entrance which is ramped or level for use by handicapped persons, a sign showing its location shall be posted at or near the main entrance which shall be visible from the adjacent public sidewalk or way."

On page 1, in line 1 of the title, after "buildings;" and before "and" insert "adding a new section to chapter 219, Laws of 1971 and to chapter 70.92A RCW;"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute Senate Bill No. 2634 as amended by the House was placed on final passage.

Mr. Williams spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "You mentioned that there were some groups left out of this measure. We had some concern as to the electricians' code and standards. Is that one of the groups? Is so, why were they left out?"

Mr. Williams: "Yes, that was one. Section 8 of the bill specifically excludes RCW 19.28, 43.22, 70.79 and 70.87. These are RCW sections that contain existing law related to the regulation of electricians and electrical installations by the department of labor and industries. They are basic laws describing powers and organization--the state fireworks law, the boilers and fire pressure vessels, elevators, lifting devices, etc. All of these are presently controlled or we have statutes covering all of them. We have not changed the inspection management, etc. of those areas with this bill."

#### POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Amen.

Mr. Amen: "Representative Williams, I am concerned about this council. Is this a necessary council? What would the cost to the state be on this?"

Mr. Williams: "The council itself is an advisory council, appointed by the Governor, with the exception of two members who are named in the bill, and they are the head of the Department of Labor and Industries and the Insurance Commissioner. The cost I have forgotten. We had testimony in committee on the cost, but it is related strictly to their per diem, etc. It was not a significant amount."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 2634 as amended

by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 7; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Bluechel, Flanagan, Hansen, Haussler, Kuehnle, Schumaker.

Not voting: Representatives Julin, Kelley.

Engrossed Second Substitute Senate Bill No. 2634, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2675, by Committee on Social and Health Services (Originally sponsored by Senator Day):

Revising the laws regulating chiropractic.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments see Journal for twenty-third day, 3rd ex. sess., February 5, 1974.)

On motion of Mr. Adams, the committee amendments were adopted.

#### POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Dr. Adams, this one issue has been back and forth through this House 15 or 20 times in the last four or five years in that it does relate to physical therapists and their ability to work on the back and manipulate the spine. What is the status of that situation under the terms of this bill if this committee amendment passes or if it doesn't pass?"

Mr. Adams: "Thank you, Representative Kuehnle, it would remain the same as it was before this bill was passed, or this amendment would pass."

Mr. Kuehnle: "That doesn't help me. How does it remain?"

Mr. Adams: "The physio-therapist would not be allowed to manipulate the spine nor give chiropractic adjustments."

Mr. Kuehnle: "And this amendment has nothing to do with that, physical therapist or not, covered under that RCW reference?"

Mr. Adams: "That is right."

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2675 as amended by the House be placed on final passage.

The motion failed.

Engrossed Substitute Senate Bill No. 2675 as amended by the House was passed to the Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 3168, by Senators Washington and Murray:

Allowing hearing examiners to assist in certain functions of the pollution control hearings board.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3168 was placed on final passage.

Mr. Luders spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3168, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Shipoch, Sommers, Thompson, Tilly, Valle, Van

Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Clemente, Jastad, Kelley, Savage, Smith.

Engrossed Senate Bill No. 3168, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2843, by Committee on Local Government (Originally sponsored by Senator Fleming):

Authorizing counties, cities and towns to participate in and implement federally-assisted grant-in-aid programs.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-second day 3rd ex. sess., February 4, 1974.)

Mr. Haussler moved that the House do not adopt the committee amendments.

The motion was carried.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Third Substitute Senate Bill No. 2843 was placed on final passage.

Mr. Douthwaite spoke in favor of the bill.

POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "How many of these committee amendments did we withdraw? There were three of them--did we withdraw all three of them? Who did you say they were withdrawn for, and for what reason?"

Mr. Douthwaite: "If you will recall, when we accepted these amendments in committee, we accepted them conditional upon checking with the Code Reviser as to whether or not it was necessary. After we checked with him, after legal counsel, it was found that they were not necessary."

POINT OF INQUIRY

Mr. Douthwaite yielded to question by Mr. Leckenby.

Mr. Leckenby: "Mr. Douthwaite, for what areas of municipal activities, speaking specifically about Seattle,

would the city government be permitted to use revenue funds?"

Mr. Douthwaite: "Without the bill, I think in the opinion of the corporation counsel, the city of Seattle is essentially unable to proceed with the public corporations in administering revenue sharing or federal grants or private grants. Without this bill they are essentially stopped in these programs."

Mr. Leckenby: "What I am asking is: What can they do with moneys that they have received with federal revenue sharing? Aren't there other areas in city government where these funds are needed? I have been reading about the deficits in the forthcoming budget, and I wonder why the funds wouldn't be used to offset those deficits instead of perhaps in these programs."

Mr. Douthwaite: "On page 1, line 21 it says '...it is provided that the cities, towns and counties may utilize federal or private funds by any lawfully adopted ordinance or resolution.' In other words, after the passage of this act, if the Seattle City Council wishes to employ revenue sharing funds as they wish by resolution they may use them for many other things which I did not mention. That is true, they could use the funds for offsetting adjustments, or whatever they wish by lawfully adopted resolution after passage."

Mr. Leckenby spoke against passage of the bill, and Mr. Van Dyk spoke in favor of its passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Third Substitute Senate Bill No. 2843, and the bill passed the House by the following vote: Yeas, 65; nays, 29; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Patterson, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bauer, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hoggins, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Polk, Pullen, Schumaker, Tilly, Wilson, Zimmerman.

Not voting: Representatives Bluechel, Kelley, Kishimoto, Kopet.

Engrossed Third Substitute Senate Bill No. 2843, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3050, by Senator Woody:

Extending the time limit for local governments to develop a master plan for regulation under the shoreline management act.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3050 was placed on final passage.

Mr. Luders spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3050, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Blair.

Not voting: Representative Kelley.

Senate Bill No. 3050, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Charette, consideration of ENGROSSED SENATE BILL NO. 3058 was deferred, and the bill was ordered moved to the bottom of today's second reading calendar.

ENGROSSED SENATE BILL NO. 3116, by Senators Walgren and Peterson (Lowell):

Making changes in the laws relating to commercial herring licenses.

The bill was read the second time.

On motion of Mr. Martinis, the following amendments were adopted:

On page 1, line 21 insert new sections as follows:

"NEW SECTION. Sec. 2. There is added to chapter 75.28 RCW a new section to read as follows:

On and after the effective date of this section the director of the department of fisheries shall appoint three persons broadly representative of the commercial herring fishery to function as an advisory committee to the department for the purpose of defining hardship cases as such cases relate to denials of commercial herring licenses under this chapter. The committee shall hold meetings and hearings and take such testimony as it deems necessary to carry out the duty imposed on it by this section. Upon making its final decision on the meaning of a hardship case and communicating the same in writing to the director the committee shall be dissolved. The director, upon receipt of the committee's findings, may promulgate the committee's definition of a hardship case as a rule and regulation of the department after complying with the provisions of chapter 34.04 RCW, the administrative procedure act.

NEW SECTION. Sec. 3. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 1 of the title after "fishing;" and before "amending" strike "and" and insert "adding a new section to chapter 75.28 RCW;"

On page 1, line 2 of the title after "RCW 75.28.420" and before the period insert "; and declaring an emergency"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3116 as amended by the House was placed on final passage.

Mr. Martinis spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3116 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 2; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard,



Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bluechel, Kraabel.

Not voting: Representatives Kelley, Laughlin, Pardini, Parker.

Engrossed Senate Bill No. 3116 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3003, by Senator Grant:

Making general revisions to the election laws.

The bill was read the second time.

#### MOTIONS

On motion of Mr. Thompson, further consideration of Engrossed Senate Bill No. 3003 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

Mr. Thompson moved that HOUSE BILL NO. 1037 be moved to the bottom of today's second reading calendar.

#### POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Thompson, I wonder if you would enlighten me as to why we are moving this bill to the bottom of the calendar?"

Mr. Thompson: "Mr. Pardini, I had made that motion to permit a member time to prepare an amendment, but the Chief Clerk has just informed me that they have the amendment now at hand, and so I will withdraw my motion."

#### MOTION

Mr. Thompson amended his motion to move House Bill No. 1037 to the bottom of the calendar, and the bill was ordered placed on the second reading calendar immediately following House Bill No. 1328.

The motion was carried.

HOUSE BILL NO. 1308, by Representatives Ceccarelli, Eikenberry and Pardini (by Office of Program Planning and Fiscal Management request):

Establishing and prescribing the functions of the committee on deferred compensation.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1308 was placed on final passage.

Representatives Ceccarelli and Pardini spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1308, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders; Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Leckenby.

Not voting: Representatives Fortson, Kelley, Savage.

House Bill No. 1308, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, all bills passed by the House to this point in the proceedings were ordered transmitted immediately to the Senate.

HOUSE BILL NO. 1328, by Representatives Douthwaite, Ceccarelli, Chatalas, Barnes, Charnley, Valle, Lysen, Perry, Cunningham, Leckenby and Van Dyk:

Providing means for port districts to undertake abatement of airport noise.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments see Journal for seventeenth day, 3rd ex. sess., January 30, 1974.)

On motion of Mr. Haussler, the committee amendments were adopted.

House Bill No. 1328 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1328 was placed on final passage.

Mr. Douthwaite spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1328, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Flanagan, Schumaker.

Not voting: Representatives Kelley, Pardini.

Engrossed House Bill No. 1328, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mrs. Valle, Engrossed House Bill No. 1328 was ordered transmitted immediately to the Senate.

HOUSE BILL NO. 1037, by Representative Kilbury:

Relating to agriculture.

On motion of Mr. Kilbury, Substitute House Bill No. 1037 was substituted for House Bill No. 1037, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1037 was read the second time.

Mr. Laughlin moved adoption of the following amendment: On page 2, section 1, line 7 after "who" strike everything down through "wholesale" on line 13 and insert "produces, contracts for or obtains possession or control of any eggs, for the purpose of sale to another dealer or retailer"

Mr. Laughlin spoke in favor of the amendment, and Representatives Hansey and Kilbury spoke against it.

Mr. Laughlin spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Laughlin moved adoption of the following amendment: On page 8, line 29 after section 10 insert a new section as follows:

"NEW SECTION. Sec. 11. There is added to chapter 69.24 RCW a new section to read as follows:

Any dealer audited by the director and found to be deficient in reporting the sums due the department in excess of one percent shall pay the actual cost of conducting the audit, including travel and subsistence of the auditor."

Renumber the remaining sections consecutively.

Mr. Laughlin spoke in favor of the amendment, and Mr. Hansey spoke against it.

The amendment was not adopted.

Mr. Laughlin moved adoption of the following amendment: On page 11, section 17, line 23 strike "(2) Section 20, chapter 193, Laws of 1955 and RCW 69.24.320;"

Renumber the remaining subsections consecutively.

Mr. Laughlin spoke in favor of the amendment, and Mr. Hansey spoke against it.

The amendment was not adopted.

Substitute House Bill No. 1037 was passed to the Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 2969, by Senator Lewis (Harry):

Requiring the department of ecology to approve or disapprove air pollution variances within 60 days.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2969 was placed on final passage.

Mr. Luders spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2969, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North P., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bluechel, Eikenberry.

Not voting: Representative Kelley.

Engrossed Senate Bill No. 2969, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3040, by Senators Day, Jones, Van Hollebeke and Ridder:

Creating the Washington health care facilities authority.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3040 was placed on final passage.

Debate ensued, Representatives Adams, Newhouse and Conner speaking in favor of the bill, and Representative Pardini speaking against it.

## POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Julin.

Mr. Julin: "Dr. Adams, does this measure (and I confess that I have not read it) contain, explicit within its language, the authority and power for this new commission, within the exercise of its domain, go out and acquire existing privately-operated health care facilities?"

Mr. Adams: "Representative Julin, I wouldn't want to give you an answer, but I believe that it does not. The money is deposited with the public deposit and it is declared not to be funds of the state of Washington. Perhaps someone else can answer that."

Mr. Parker: "Mr. Speaker, members of the House, to answer Mr. Julin's question, it is my understanding that they would not be able to. The primary motivation for this bill is to allow hospitals to be able to get financing at a lower rate. The way that we established doing that is through setting up this commission. That question didn't come up in the committee, but I am sure that they would not have that authority."

Representatives Flanagan and Pardini spoke against the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3040, and the bill passed the House by the following vote: Yeas, 78; nays, 18; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Kishimoto, Knowles, Laughlin, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Randall, Savage, Shinoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Douthwaite, Flanagan, Hansey, Hayner, Juelling, Julin, Kopet, Kuehnle, Leckenby, Luders, Nelson, Pardini, Polk, Pullen, Rabel, Schumaker.

Not voting: Representatives Kelley, Kraabel.

Engrossed Senate Bill No. 3040, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3229, by Senator Durkan:

Conforming metro enabling legislation to requirements of federal pollution control laws.

The bill was read the second time.

Mr. Williams moved adoption of the following amendment: On page 9, section 6, line 19 after "act" and before the period insert ", consistent with existing comprehensive land use plans and planning processes of general purpose local government"

Mr. Williams spoke in favor of the amendment, and Representatives Luders, Bluechel, Zimmerman and Perry spoke against it.

Mr. Williams spoke again in favor of the amendment.

## POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Brown.

Mr. Brown: "Representative Williams, it is my understanding, and I wish you could either verify this or correct me, that the present planning authority that is held by both King County metro and Snohomish County metro have both, by resolution, taken themselves out of that business already. If this is true, is an amendment like this necessary?"

Mr. Williams: "I don't know that that is true. I think that, as Mr. Zimmerman said, if the amendment is not constructive, it certainly need be helpful and clarifying."

The amendment was not adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3229, was placed on final passage.

Mr. Luders spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3229, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen,

Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eng, Kelley, Randall.

Engrossed Senate Bill No. 3229, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, consideration of SENATE JOINT MEMORIAL NO. 131 was deferred until after consideration of House Bill No. 764.

HOUSE BILL NO. 764, by Representatives Polk, Bauer, Smythe, Barden, Pullen, North (Lois), Clemente, Hoggins, Bender, Hayner, Hurley, Eikenberry, Gilleland, Thompson, Freeman, Kopet, Brown, Julin, Warnke, Curtis and Wilson:

Setting up an educational accountability system of common schools.

#### MOTION

On motion of Mr. Ellis, Substitute House Bill No. 764 was substituted for House Bill No. 764, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 764 was read the second time.

On motion of Mr. Polk, the following amendment was adopted:

On page 3, section 4, line 10 strike "in conformity" and insert "which is not inconsistent"

Substitute House Bill No. 764 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 764 was placed on final passage.

Debate ensued, Representatives Polk, Luders, Fortson and Hayner speaking in favor of the bill, and Representatives Brown and Haussler speaking against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 764, and the bill passed the House by the following vote: Yeas, 76; nays, 19; not voting, 3.



Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Honan, Hurley, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehne, Laughlin, Luders, Martinis, Matthews, Maxie, Moon, Morrison, Newhouse, North F., North L., O'Brien, Paris, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Van Dyk, Warnke, Williams, Wilson, Zimmerman.

Voting nay: Representatives Amen, Barnes, Bluechel, Brown, Charnley, Gallagher, Haussler, Hoggins, Jastad, Kopet, Leckenby, Lysen, May, McCormick, Nelson, Pardini, Patterson, Valle, Wojahn.

Not voting: Representatives Kelley, Parker, and Mr. Speaker.

Engrossed Substitute House Bill No. 764, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE JOINT MEMORIAL NO. 131, by Senators Mardesich, Woody and Atwood:

Requesting that the International Joint Commission delay any decision regarding Point Roberts until after hearing the recommendations of the Washington state legislature.

The memorial was read the second time.

On motion of Mrs. Hurley, the following amendment was adopted:

On page 2, beginning on line 13 after "commission" strike the remainder of the paragraph down to and including "recommendations." on line 15 and insert "discontinue its study of the future of Point Roberts until the authorized county and state agencies complete the land use plans and actions now in process and the Washington state legislature submits any recommendations that may then be deemed appropriate."

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Joint Memorial No. 131 as amended by the House was placed on final passage.

Representatives Goltz, Van Dyk and Hansey spoke in favor of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 131 as amended by the House, and

the memorial was passed by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amer, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Blair, Kelley, North F.

Senate Joint Memorial No. 131 as amended by the House, having received the constitutional majority, was declared passed.

The Speaker assumed the Chair.

HOUSE BILL NO. 1363, by Representatives Bagnariol, Hendricks, Bausch and Ceccarelli:

Providing for public employment retirement.

The bill was read the second time.

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendments see Journal for twenty-second day, 3rd ex. sess., February 4, 1974.)'

On motion of Mr. Bausch, the committee amendments were adopted.

House Bill No. 1363 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1363 was placed on final passage.

Representatives Bausch and Hendricks spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1363, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz,

Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bluechel, Kuehne.

Not voting: Representative Kelley.

Engrossed House Bill No. 1363, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, SENATE BILL NO. 3003 was placed at the top of the second reading calendar for immediate consideration.

ENGROSSED SENATE BILL NO. 3003, by Senator Grant:

Making general revisions to the election laws.

The bill was read the second time.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendment, see Journal for twentieth day, 3rd ex. sess., February 2, 1974.)

On motion of Mr. King, the committee amendment was adopted.

On motion of Mr. Charette, the following amendment was adopted:

On page 2, section 2, beginning on line 32 of the engrossed bill, being line 31 of the printed bill, after "furnish" strike all of the material down to and including "voters" on page 3, line 1 of the engrossed bill, being page 2, line 33 of the printed bill, and insert "without cost and upon application therefor, an annual statewide listing or computer tape of registered voters to the state central committee of any major political party that received at least ten percent of the total votes cast for the office of President at the preceding Presidential election"

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Senate

Bill No. 3003 as amended by the House be placed on final passage.

The motion failed, and the bill was passed to the Committee on Rules for third reading.

#### MOTION

On motion of Mr. Thompson, consideration of HOUSE BILL NO. 1505 was deferred, and the bill was ordered placed on tomorrow's second reading calendar.

ENGROSSED SENATE BILL NO. 2329, by Senators Atwood and Hardsich:

Providing for changes in the legal services revolving fund.

The bill was read the second time.

Mr. Julin moved adoption of the following amendment:

On page 2, section 5, line 29 after "July 1," strike all material down to and including the period on line 30 and insert "1974 for costs, billings and charges affecting the 1973-1975 fiscal biennium.

NEW SECTION. Sec. 6. The legislature finds that a substantial unmet need for legal services exists among the moderate and low income people of the state, that this need has not been met by existing methods for providing legal services, and that new approaches to the delivery of legal services should be developed in order to assist all people of the state in their efforts to achieve effective access to the legal system. The legislature further finds that the development of new approaches to providing legal services can best be accomplished by permitting responsible experimentation with different techniques for organizing and delivering legal services, that such experimentation should offer the people of the state a variety of choices between responsible new approaches, that the development of new methods for providing legal services should be controlled, and that it would be inappropriate to provide such control under the insurance code of the state.

The purposes of this chapter are to provide for the registration of certain group legal services plans, to promote access to quality legal services at reasonable costs, and to regulate the development and operation of such plans, without adherence to the insurance code, in a manner which will serve the public interest by protecting the interests of the people of this state receiving such services.

NEW SECTION. Sec. 7. This chapter shall apply to all persons who propose to operate or are operating or participating in the operation of a group legal services plan as such plan is defined in section 3 (7) of this 1974 act. The provisions of the remainder of Title 48 RCW shall not apply to the activities governed by this chapter except as set forth in section 3 (7) of this 1974 act.

NEW SECTION. Sec. 8. As used in this chapter:

(1) 'Administrative costs' means those expenses considered in accordance with accounting principles usually applied to represent the cost of managing and marketing a group legal services plan or analogous business activity.

(2) 'Applicant' means a person who has filed an application for a certificate of approval to operate a group legal services plan.

(3) 'Benefit' means any service, right, privilege, or money provided or promised to be provided to a member under a group legal services plan.

(4) 'Benefits package' means the set of benefits to which a member of a group legal services plan is entitled.

(5) 'Commission' means the group legal services commission established by this chapter.

(6) 'Group legal services' means those services performed by or under the supervision of a legal services contractor for members of a sponsoring group such as a labor union, an employer organization, a trade association, an automobile club, a teachers' group, an employee benefit trust, or some other kind of group, whether or not the members share a common interest in a nonlegal services related field of activity.

(7) 'Group legal services plan' means any system for providing group legal services whether or not payment for such services is to be made in advance and whether such services are to be furnished by staff attorneys employed for the purpose or by an open or closed panel of attorneys, excluding any such system offered or sponsored by an organization otherwise subject to supervision by the insurance commissioner. The plan may be submitted by an applicant which is either a sponsor or a legal services contractor.

(8) 'Legal services' means those professional services usually rendered by or under the supervision of attorneys authorized to practice law in the state of Washington.

(9) 'Legal services contractor' means an attorney or group of attorneys authorized to practice law in the state of Washington, or an entity formed by them, who or which agrees with a sponsor to provide legal services to members of a group legal services plan.

(10) 'Member' means any person receiving or entitled to receive benefits under a group legal services plan.

(11) 'Operator' means a person who is engaged in providing group legal services pursuant to a certificate of approval issued by the commission, and who is either a sponsor or a legal services contractor.

(12) 'Person' means any individual or entity, natural or legal.

(13) 'Sponsor' means a person who either offers or administers a group legal services plan by contract with a legal services contractor or furnishes group legal services through staff attorneys.

NEW SECTION. Sec. 9. There is hereby created the group legal services commission to consist of five members. Members shall be appointed by the governor as follows: Two from a list of not less than six attorneys submitted to the governor by the board of governors of the Washington state bar association, and three lay citizens who shall be

broadly representative of the public interest and have demonstrated an interest and belief in the principles of this chapter; of the lay members one shall be a representative of labor unions, one shall be representative of business management, and one shall be representative of the public and shall be the chairperson.

Members shall be appointed by the governor within thirty days after the effective date of this 1974 act: One for a one year term, two for two years, and two for three years; thereafter all terms shall be for three years and each member shall hold office until his successor is appointed and qualified. Any member may be removed by the governor at his pleasure.

Vacancies in the office of commissioner shall be filled by the governor for the unexpired term in the same manner as the original appointment: PROVIDED, That any appointment to a vacancy occasioned by removal from office by the governor shall be subject to confirmation by the senate.

Each member of the commission before entering into the discharge of the duties of his office shall: (1) Give a surety bond as provided for other state officers in chapter 43.17 RCW conditioned for the faithful performance of the duties of his office and accounting for all property of the state that shall come into his possession by virtue of his office, and (2) take and subscribe the oath of office prescribed by law for elective state officials and file the same in the office of the secretary of state.

No commissioner shall provide legal services to a group legal services plan, or be an employee of, have a substantial financial interest in, or bear any fiduciary relationship to, any operator or insurer of a group legal services plan, or any person or entity providing legal services to a group legal services plan.

A commissioner shall receive fifty dollars per day for each day or major portion thereof spent in the performance of his duties, plus reimbursement for his per diem and travel expenses in the same manner and amounts as provided for other state officials in chapter 43.03 RCW as now or hereafter amended.

The commission, pursuant to chapter 34.04 RCW, shall promulgate rules and regulations necessary to effectuate the purposes of this chapter.

NEW SECTION. Sec. 10. The commission shall appoint a director who shall administer the provisions of this chapter under the supervision of the commission. The director may appoint an assistant director and such other personnel as may be necessary to effectuate the purposes of this chapter. The members of the commission, the director, the assistant director, and their confidential secretaries shall be exempt from the state civil service law as provided in chapter 41.06 RCW. All other personnel shall be subject to chapter 41.06 RCW.

Salaries of the director, assistant director, and their confidential secretaries shall be fixed by the governor in accordance with the provisions of law for fixing salaries for officers and employees so exempt as provided for in RCW 43.03.040 and chapter 41.06 RCW as now or hereafter amended.

NEW SECTION. Sec. 11. It shall be unlawful for any person to offer, provide, operate, agree or contract to sell, to sell, offer to sell, or circulate for purposes of selling, any group legal services or any group legal services plan without having in effect a current and valid certificate of approval for such plan issued by the commission: PROVIDED, That any person who, at the time this 1974 act takes effect, is operating a group legal services plan, shall file an application with the commission within sixty days thereafter, or such additional time as the commission may allow, and may continue in operation until further order of the commission pursuant to the application.

NEW SECTION. Sec. 12. Any person may apply to the commission for a certificate of approval to operate a group legal services plan upon forms to be approved by the commission. Such forms shall require the applicant to submit whatever information may reasonably be required by the commission to carry out the purposes of this chapter, and may include:

(1) Name and address of person or persons filing the statement and, where applicable, the names and addresses of all officers and directors or persons holding similar positions together with any copies of organizational documents, including bylaws, articles of organization, or similar documents.

(2) Documents or statements describing the operation of the proposed or existing group legal services plan, including but not limited to, the following:

(a) the plan's benefits package;

(b) the plan's financial structure, including a statement of the amount of any membership fees to be charged or currently being charged and a projection of anticipated income and expenditures for the plan;

(c) rules concerning the utilization of the plan's benefits;

(d) rules providing for the maintenance of proper professional relationships between plan subscribers and participating attorneys;

(e) procedures for resolving disputes;

(f) an estimate of the administrative costs to be incurred by the operation of the plan;

(g) a copy of any advertising material, whether prepared as part of a plan's acquisition effort or for other purposes; and

(h) a copy of any agreement concerning legal services between or among the plan sponsor, legal service contractors, members, law firms, private or staff attorneys, bar associations, law schools, unions, or other entities.

NEW SECTION. Sec. 13. The commission, after consideration of all available evidence, may issue a certificate of approval to operate a group legal services plan if it finds that:

(1) The applicant has the necessary financial responsibility and ability to carry out the plan proposed in its application; the commission may consider the applicant's experience and history of activities in making

this determination and may require the applicant to post a bond to satisfy this requirement;

(2) The administrative costs of the plan are reasonable and appropriate to operate the plan;

(3) Adequate provision has been made to guarantee the integrity of the attorney-client relationship and the ability of any attorney rendering legal services under the plan to exercise his or her independent professional judgment in behalf of each client;

(4) The plan provides for the maximum practical disclosure to its members of the cost, obligations, and benefits of the plan, the terms and conditions upon which it may be extended, renewed, revised or canceled, and where further information concerning the plan can be obtained;

(5) All fees charged by each sponsor, each legal services contractor, and each attorney rendering legal services under the plan are reasonable, and not excessive, inadequate or unfairly discriminatory;

(6) The services offered by the plan are reasonable in scope and extent;

(7) The plan provides an adequate procedure for settling disputes;

(8) Issuance of the certificate of approval would further the purposes of this chapter.

NEW SECTION. Sec. 14. Any operator may at any time apply to the commission for an amendment to a plan for which a certificate of approval has been issued. Such an application shall be considered by the commission in the same manner as an original application, and the commission may amend its certificate of approval to include such features of the proposed amended plan as meet the criteria set forth in section 8 of this 1974 act.

NEW SECTION. Sec. 15. Any operator of a legal services plan shall maintain books and records in such a manner as the commission may reasonably require in order that the information contained in them will be readily available to the commission.

NEW SECTION. Sec. 16. The commission shall examine the affairs, transactions, accounts, records, documents, and assets of all operators as often as it deems advisable, but at least once every three years. The commission shall have free access during reasonable business hours to all books, records, and papers of the operator being examined and may summon and examine under oath its officers, agents, employees, and other persons concerning its affairs and conditions. The commission may also require operators to supplement or update the information contained in an application or an approved plan.

NEW SECTION. Sec. 17. Every operator shall file annually with the commission in the form required by it a statement verified by one of its principal officers containing such information as the commission may reasonably require to carry out the purposes of this chapter.

NEW SECTION. Sec. 18. (1) Any operator aggrieved by an action of the commission taken without a hearing may, within thirty days after receiving notice of such action petition the commission in writing for a hearing.



(2) Any person aggrieved by a filing of an application for a certificate of approval may petition the commission for relief. If the commission finds that the petition is made in good faith and the petitioner would be unjustly aggrieved if his grounds were established, it shall hold a hearing on the petition.

(3) Any applicant whose filing is denied may, within thirty days after receiving notice of the denial, petition the commission for a hearing.

(4) The commission may upon its own motion, or upon the motion of any person, revoke a certificate of approval previously granted to an applicant, upon finding any of the following conditions exist: (a) The certificate of approval was fraudulently obtained; or (b) the operator has failed to comply with an order, rule or regulation of the commission, or any provision of this chapter; or (c) the plan is fraudulently operated; or (d) the plan is in such condition as to render further operations hazardous to the public interest.

Chapter 34.04 RCW shall apply to this section as to notice, hearing, judicial review, and in all other respects.

NEW SECTION. Sec. 19. The provisions of this chapter may be enforced by civil action brought by the attorney general at the request of the commission. Injunctive relief may be granted against any person operating a group legal services plan without a valid certificate of approval and against any operator of a group legal services plan which

(1) Has failed to comply with any provision of this chapter; or

(2) Is fraudulently operated; or

(3) Is in such condition as to render further operations hazardous to the public interest; or

(4) Has violated any other provision of law.

Such injunctive relief may include a temporary restraining order prohibiting the transaction of any business and, on the basis of a full hearing, the issuance of a permanent injunction enjoining further operations, the appointment of a receiver to wind up the business, and such additional or alternative relief as the court may deem appropriate.

In addition, the court may impose a civil fine in an amount not to exceed ten thousand dollars if it finds that a certificate of approval was fraudulently obtained, or that a plan was operated fraudulently or without a certificate of approval.

NEW SECTION. Sec. 20. (1) There is hereby created within the state treasury an account to be known as the 'group legal services revolving account' which shall consist of all funds received from sponsors as provided in this section, and all other moneys received from grants, penalties, and any other income from any other source granted or appropriated for the purposes of this chapter.

Each sponsor shall pay monthly to the commission a sum not to exceed two percent of the gross payments received by such sponsor during the preceding month in respect to the group legal services plans. The rate shall be fixed by the commission, from time to time, which, together with the

income from any other source deposited or credited to such account will permit the commission to meet its anticipated expenditures. No payment to the commission shall be required from any funds granted or provided to operators by a state or federal source.

Disbursements from the group legal services revolving account shall be on authorization of the commission or its designated representative to be used for the payment of salaries and wages and all other costs and charges incurred for the operation and administration of the provisions of this chapter.

NEW SECTION. Sec. 21. The commission may request the insurance commissioner, through his staff, to provide the commission and its staff with actuarial and other assistance which will enable the commission to fulfill its duties and responsibilities. The commission shall reimburse the insurance commissioner the reasonable costs for providing such assistance.

NEW SECTION. Sec. 22. No sponsor or legal services contractor shall deny to any person the opportunity to participate in a group legal services plan on account of race, religion, sex or national origin.

NEW SECTION. Sec. 23. Nothing in this chapter shall be construed to relieve participating attorneys from strict adherence to the code of professional responsibility as adopted and amended from time to time by the supreme court of the state of Washington.

NEW SECTION. Sec. 24. Sections 6 through 24 of this 1974 act may be cited as the Group legal Services Act of 1974.

NEW SECTION. Sec. 25. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 26. Sections 6 through 24 of this 1974 act shall constitute a new chapter in Title 48 RCW, and shall be codified as chapter 48.60 RCW."

#### POINT OF ORDER

Mr. Williams: "I would like to ask the Chair to rule on the scope and object of the amendment."

#### SPEAKER'S RULING

The Speaker: "The amendment is out of order, because the scope and object of the bill before us relates to the attorney general's office, providing legal services for state agencies, and your amendment takes it on to providing legal services for the public at large."

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2329 was placed on final passage.

Mr. Williams spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2329, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kelley, Paris.

Engrossed Senate Bill No. 2329, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2572, by Senators Whetzel, Ridder and Talley:

Clarifying the authority of sewer districts.

The bill was read the second time.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Senate Bill No. 2572 be placed on final passage.

Mr. Cunningham spoke against the motion to advance, and the motion failed.

Engrossed Senate Bill No. 2572 was passed to the Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 3058, by Senators von Reichbauer, Clarke and Bottiger:

Authorizing added functions for the school directors' association and authorizing school districts to contract with the association in relation to its performance of certain functions.

The bill was read the second time.

Committee on Education recommendation: Majority, do pass as amended. (For amendments see Journal for twentieth day, 3rd ex. sess., February 2, 1974.)

On motion of Mr. Bauer, the committee amendments were adopted.

On motion of Mr. Hoggins, the following amendment by Representatives Hoggins, Bauer and Kopet was adopted:

On page 2, section 1, line 24 after "530" and before the period insert "PROVIDED FURTHER, That any such contract shall be filed with the office of program planning and fiscal management and the legislative budget committee prior to the date any work commences under any such contract"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3058 as amended by the House was placed on final passage.

Mr. Hoggins spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3058 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 5; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randail, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Chatalas, Gaines, Gallagher, Lysen.

Not voting: Representative Kelley.

Engrossed Senate Bill No. 3058 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### NOTICE OF RECONSIDERATION

Mr. King, having voted on the prevailing side, gave notice that he would, on the next working day, move for

reconsideration of the vote by which Engrossed Senate Bill No. 3058 as amended by the House passed the House.

#### MOTION

On motion of Mr. Thompson, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

February 5, 1974

HOUSE BILL NO. 1245, Prime sponsor: Representative Kuehne, enacting 1974 LEFF retirement system amendments, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass as amended by the Committee on Local Government and with the following amendments:

On page 10, line 33 add a new section following section 2 as follows:

"Sec. 3. Section 10, chapter 209, Laws of 1969 ex. sess. as last amended by section 7, chapter 131, Laws of 1972 1st ex. sess. and RCW 41.26.100 are each amended to read as follows:

A member upon retirement for service shall receive a monthly retirement allowance computed according to his completed creditable service as follows: Five years but under ten years, one-twelfth of one percent of his final average salary for each month of service; ten years but under twenty years, one-twelfth of one and one-half percent of his final average salary for each month of service; and twenty years and over one-twelfth of two percent of his final average salary for each month of service: PROVIDED, That the recipient of a retirement allowance who shall return to service as a law enforcement officer or fire fighter shall be considered to have terminated his retirement status and he shall immediately become a member of the retirement system with the status of membership he had as of the date of his retirement. Retirement benefits shall be suspended during the period of his return to service and he shall make contributions and receive service credit. Such a member shall have the right to again retire at any time and his retirement allowance shall be recomputed, and paid, based upon additional service rendered and any change in final average salary: PROVIDED FURTHER, That no retirement allowance paid pursuant to this section shall exceed seventy-five percent of final average salary, except as such allowance may be increased by virtue of RCW 41.26.240, as now or hereafter amended."

Renumber the remaining sections consecutively.

On page 24, the old section 12, renumbered section 13, line 20 after "next and" insert "appropriate"

On page 24, the old section 12, renumbered section 13, line 21 strike "total" and insert "dollar"

On page 1, line 7 of the title after "RCW 41.26.050;" insert "amending section 10, chapter 209, Laws of 1969 ex. sess. as last amended by section 7, chapter 131, Laws of 1972 1st ex. sess. and RCW 41.26.100;"

Signed by Representatives Shipoch, Chairman; North (Frances), Vice Chairwoman; Amen, Bagnariol, Bausch, Charette, Ehlers, Gaspard, Hansey, Hoggins, Kopet, Luders, Polk, Smith, Valle, Van Dyk, Zimmerman.

February 5, 1974

HOUSE BILL NO. 1366, Prime sponsor: Representative Martinis, requiring adjustment of public works contracts affected by federal or state emergency petroleum regulation, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Ceccarelli, Clemente, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Patterson, Schumaker, Wilson.

February 5, 1974

HOUSE BILL NO. 1387, Prime sponsor: Representative Perry, providing for definitions for cities and municipal corporations, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Clemente, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Hansen, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Nelson, Patterson, Pullen, Schumaker, Wilson.

February 5, 1974

HOUSE BILL NO. 1502, Prime sponsor: Representative Blair, establishing a wage claim fund to be administered by the Department of Labor and Industries, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 2, line 20 after "employee" insert "the amount of which is not subject to dispute but is unpaid"

On page 1, section 2, immediately following subsection (3) insert a new section as follows:

"(4) 'Employer' shall include any person, firm, partnership or corporation, except the state of Washington, counties, cities, towns, or other municipal corporations, having any person in employment."

On page 2, section 5, line 15 after "a" strike "legitimate wage"

On page 2, section 5, line 15 after "employer" insert "for wages due and unpaid"

On page 2, section 5, line 17 after "valid." strike all material down to and including "recipient." on line 20

On page 2, section 5, line 21 following "shall" strike "subrogate" and insert "be subrogated"

On page 2, beginning on line 24 strike all of section 6, and insert the following:

"NEW SECTION. Sec. 6. Contributions shall accrue and become payable by each employer filing reports to his account for industrial insurance, including self-insurers, in an amount each year of three dollars. Each employer shall pay said amount on time after the effective date of this law and each year thereafter. Said payments to be due and payable after the first full quarter after the effective date of this 1974 act. Claims under this act shall be first received by the department at the beginning of the second full quarter after the effective date of this 1974 act."

On page 3, section 7, line 9 after "reaches" strike "one million" and insert "four hundred thousand"

On page 3, section 7, line 11 after "fund is" strike "five" and insert "two"

On page 3, beginning on line 22 strike all of section 10 and renumber the remaining section "Sec. 10" and correct the internal reference to read "sections 1 through 9"

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Erickson, Goltz, Hurley, Kilbury, King, Kuehnle, Moon, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Benitz, Bluechel, Eikenberry, Pardini.

February 5, 1974

ENGROSSED SUBSTITUTE SENATE BILL NO. 2938. Prime sponsor: Senator Peterson (Lowell), authorizing a fire protection district service charge, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 1, beginning on line 26 after "state" strike all material down to and including "district" on line 28

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Benitz, Bluechel, Brown, Eikenberry, Erickson, Goltz, Hurley, Kilbury, King, Kuehnle.

February 5, 1974

ENGROSSED SENATE BILL NO. 3002. Prime sponsor: Senator Walgren, permitting the state to make purchases from sheltered workshops, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman;

Ellis, Eng, Fortson, Freeman, Hendricks, Honan, Matthews, Paris, Rabel, Savage, Tilly, Wojahn.

February 5, 1974

ENGROSSED SENATE BILL NO. 3021, Prime sponsor: Senator Donohue, requiring physical examination of every out-of-state vehicle before titling or licensing in this state, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Bausch, Blair, Charette, Chatalas, Gaspard, Hoggins, Kopet, Luders, Smith, Thompson.

February 6, 1974

SENATE BILL NO. 3055, Prime sponsor: Senator Odegaard, extending application period for real property current use classification for 1974, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Bluechel, Brown, Erickson, Goltz, Kilbury, Moon, Pardini.

February 5, 1974

SENATE BILL NO. 3075, Prime sponsor: Senator Peterson (Ted), authorizing the appointment of the secretary of the department of social and health services as a federal fiduciary with respect to estates of veterans, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Eng, Fortson, Freeman, Hendricks, Honan, Matthews, Rabel, Savage, Wojahn.

February 6, 1974

ENGROSSED SENATE BILL NO. 3181, Prime sponsor: Senator Odegaard, providing for superior court judges in certain counties, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, immediately following section 1 insert a new section as follows:

"Sec. 2. Section 5, chapter 125, Laws of 1951 as last amended by section 2, chapter 27, Laws of 1973 1st ex. sess. and RCW 2.08.063 are each amended to read as follows:

There shall be in the county of Lincoln one judge of the superior court; in the county of Skagit, two judges of the superior court; in the county of Walla Walla, two judges of the superior court; in the county of Whitman, one judge of the superior court; in the county of Yakima, five judges of the superior court; in the county of Adams, one



judge of the superior court; in the county of Whatcom, ((two)) ~~three~~ judges of the superior court."

Renumber the remaining section consecutively

On page 1, line 3 of the title after "2.08.062;" insert "amending section 5, chapter 125, Laws of 1951 as last amended by section 2, chapter 27, Laws of 1973 1st ex. sess. and RCW 2.08.063;"

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Maxie, Smith, Sommers.

February 6, 1974

ENGROSSED SENATE BILL NO. 3206, Prime sponsor: Senator Metcalf, providing for a moratorium of one year from the charitable solicitations laws for nonprofessional fund raisers, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after the enacting clause, strike the remainder of the bill and insert the following:

"Section 1. Section 2, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.020 are each amended to read as follows:

When used in this chapter, unless the context otherwise requires:

(1) 'Charitable organization' means: (a) Any benevolent, philanthropic, patriotic, eleemosynary, education, social, recreation, fraternal organization, or any other person having or purporting to have a charitable nature; and (b) which solicits or solicits and collects contributions for any charitable purpose. 'Charitable' shall have its common law meaning unless the context in which it is used clearly requires a narrower or a broader meaning.

(2) 'Contribution' means the donation, promise or grant, for consideration or otherwise, of any money or property of any kind or value which contribution is wholly or partly induced by a solicitation. Reference to dollar amounts of 'contributions' or 'solicitations' in this chapter means in the case of payments or promises to pay for merchandise or rights of any description, the value of the total amount paid or promised to be paid for such merchandise or rights, and not merely that portion of the purchase price to be applied to a charitable purpose.

(3) 'Compensation' means salaries, wages, fees, commissions, or any other remuneration or valuable consideration.

(4) 'Cost of solicitation' means and includes all costs, expenditures, debts, obligations, salaries, wages, commissions, fees, or other money or thing of value paid or incurred in making a solicitation for a direct gift or conducting a sale or benefit affair.

(5) 'Director' means the director of the department of motor vehicles.

((5)) (6) 'Direct gift' shall mean and include an outright contribution of food, clothing, money, credit, property, financial assistance or other thing of value to

be used for a charitable or religious purpose and for which the donor receives no consideration or thing of value in return.

((46)) (7) 'Parent organization' means that part of a charitable organization which coordinates, supervises, or exercises control over policy, fund raising, or expenditures, or assists or advises one or more chapters, branches, or affiliates of such organization in the state of Washington.

((47)) (8) 'Person' means an individual, organization, group, association, partnership, corporation, or any combination thereof.

((48)) (9) 'Professional fund raiser' means any person who, for compensation, plans, conducts, or manages any drive or campaign in this state for the purpose of soliciting contributions for or on behalf of any charitable organization or charitable purpose, or who engages in the business of or holds himself out to persons in this state as independently engaged in the business of soliciting contributions for such purposes, or the business of planning, conducting, managing, or carrying on any drive or campaign in this state for such solicitations: PROVIDED, That the following persons shall not be deemed professional fund raisers or professional solicitors: (a) Bona fide officer or employee of a charitable organization which maintains a permanent establishment in the state of Washington; who is employed and engaged as such officer or employee principally in connection with activities other than soliciting contributions or managing the solicitation of contributions and whose salary or other compensation is not computed on funds raised or to be raised; (b) a clergyman of a religious corporation exempt under the provisions of ((REW 49-09-030)) section 2 of this 1974 amendatory act.

((49)) (10) A 'professional solicitor' means a person other than a professional fund raiser who is employed for compensation by any person or charitable organization to solicit contributions for charitable purposes from persons in this state.

((40)) (11) 'Sale and benefit affair' shall mean and include, but not be limited to, athletic or sports event, bazaar, benefit, campaign, circus, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, theater, or variety show which the public is requested to patronize or attend or to which the public is requested to make a contribution for any charitable or religious purpose connected therewith.

((41)) (12) 'Solicitation' means any oral or written request for a contribution, including the solicitor's offer or attempt to sell any property, rights, services, or other thing in connection with which:

(a) Any appeal is made for any charitable purpose; or

(b) The name of any charitable organization is used as an inducement for consummating the sale; or

(c) Any statement is made which implies that the whole or any part of the proceeds from the sale will be applied toward any charitable purpose or donated to any charitable organization.

The solicitation shall be deemed completed when made, whether or not the person making it receives any contribution or makes any sale.

Sec. 2. Section 3, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.030 are each amended to read as follows:

Except as otherwise specifically provided in other sections of this chapter, this chapter shall not apply to the following:

(1) Solicitations by religious corporations duly organized and operated in good faith as religious organizations which are entitled to receive a declaration of current tax exempt status from the government of the United States and their duly organized branches or chapters, if the solicitations by such organization are conducted among the members thereof by other members or officers thereof, voluntarily or if the solicitations are in the form of collections or contributions at the regular or special religious assemblies, meetings, or services of any such organization or solicitations by such organizations for evangelical, missionary, or religious purposes.

(2) Any organizations which are organized and operated principally for charitable or religious or educational purposes, other than the raising of funds, when the solicitation of contributions is confined to the membership of the organization and when the solicitation is managed and conducted solely by officers and members of such organizations who are unpaid for such services.

The term 'membership' shall not include those persons who are granted membership upon making a contribution as the result of a solicitation.

~~((2))~~ (3) Persons requesting any contributions for the relief of named individuals:

(a) When the solicitation is managed and conducted solely by persons who are unpaid for such services and;

~~((two))~~ (b) When the contributions collected do not exceed the five thousand dollars in any six month period; and

(c) When all of the contributions collected, without any deductions whatsoever except for the actual cost of a banquet, dance, or similar social gathering, are turned over to the named beneficiary or beneficiaries.

~~((3))~~ (4) Any charitable organization which does not solicit and collect contributions in this state in excess of ~~((two))~~ five thousand dollars in any six month period if all such fund raising functions are carried on by persons who are unpaid for their services.

Sec. 3. Section 10, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.100 are each amended to read as follows:

Upon receipt of an application in the proper form for registration, the director shall immediately initiate an examination to determine that:

(1) The cost of solicitation for direct gifts shall not exceed twenty percent of the total gross amount to be raised or for sale and benefit affairs shall not exceed fifty-five percent of the total gross amount to be raised; and of this fifty-five percent, not more than twenty percent shall be paid for all wages, fees, commissions,

salaries, and emoluments paid or to be paid to all salesmen, solicitors, collectors, and professional fund raisers. If it appears that the cost of soliciting will exceed the percentages listed above, and except for that, the registration would otherwise be granted, the director may enter an order registering the charitable organization, upon a showing that special reasons make a cost higher than twenty percent or said fifty-five percent, or said twenty percent, respectively, reasonable in the particular case. When such an order is entered, the amount, stated as a percentage of the total purchase price, that will be given to the charitable organization or purpose shall be disclosed to each person being solicited at the time of each solicitation by conspicuously setting out such cost upon the item of goods, or upon its package, or by conspicuously setting out such cost upon a sign posted at each location where such solicitation occurs;

(2) The charitable organization has complied with all local governmental regulations which apply to soliciting for or on behalf of charitable organizations;

(3) The advertising material and the general promotional plan are not false, misleading, or deceptive and its rules and regulations, which the director may adopt, comply with the standards prescribed by the director and which afford full and fair disclosure;

(4) The charitable organization has not, or if a corporation, its officers, directors, and principals have not, been convicted of a crime involving solicitations for or on behalf of a charitable organization in this state, the United States, or any other state or foreign country within the past ten years and has not been subject to any permanent injunction or administrative order or judgment, under the provisions of RCW 19.86.080 or 19.86.090, involving a violation or violations of the provisions of RCW 19.86.020, within the past ten years, or of restraining a false or misleading promotional plan involving solicitations for charitable organizations.

Sec. 4. Section 12, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.120 are each amended to read as follows:

(1) Any charitable organization mentioned under ((RCW 19.09.030 (3))) section 2 (4) of this 1974 amendatory act:

(a) Before conducting any solicitation give written notice to the director stating its intention to solicit funds, the basis of its exemption, the purpose of such solicitation, the approximate percentage of collections, after deductions for expenses, to be actually devoted to that purpose, and when and in what area or areas such solicitation will be conducted. Written notice shall be given to the director by the organization, or by someone in its behalf, at least three days in advance of such solicitation, and if it is sent by registered or certified mail such notice shall be deemed given when deposited in the United States mail. The notice requirement of this section shall constitute a registration statement which shall be construed as registration under the provisions of this chapter.

(b) In the event that any organization, under this section, solicits and collects funds in excess of ((five))

fifteen hundred dollars during any year, such organization shall file a short form report conforming to the provisions of RCW 19.09.130. The director may require the furnishing of any further details as may be necessary for complete reporting and disclosure within the purposes of this section.

(2) No fees shall be collected in connection with any notice, registration, or report filed under this section."

In line 1 of the title, after "solicitations;" strike the remainder of the title and insert the following "amending section 2, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.020; amending section 3, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.030; amending section 10, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.100; and amending section 12, chapter 13, Laws of 1973 1st ex. sess. and RCW 19.09.120."

Signed by Representatives Knowles, Chairman; Kelley, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Newhouse, North (Lois), Smith, Sommers.

February 6, 1974

SUBSTITUTE SENATE BILL NO. 3312, Prime sponsor: Senator Day, revising the law relating to the criminally insane, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, section 1, line 10 after "insanity" strike "or diminished capacity"

On page 2, beginning on line 24 strike the remainder of the bill.

On page 1, line 2 of the title after "RCW 10.77.010" insert a period and strike the remainder of the title.

Signed by Representatives Knowles, Chairman; Gaspard, Hayner, Julin, Newhouse, Smith, Sommers.

February 6, 1974

ENGROSSED SUBSTITUTE SENATE BILL NO. 3329, Prime sponsor: Senator Washington, providing for the certification of sites for thermal power plants, reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 20 after "needs" insert ": PROVIDED, That it is the intent of the legislature that appropriate consideration will be given to protecting and preserving the quality of the environment"

On page 2, section 2, line 9 after "study" strike "such"

On page 2, section 2, line 10 after "site" strike everything down to and including "applicant" on line 11

On page 2, section 2, line 11 after "study" strike "may" and insert "shall"

On page 2, section 2, line 26 after "(4)" strike "The" and insert "Any"

On page 2, section 2, line 29 after "council" insert "created"

On page 3, section 2, line 2 after "procedures" insert "solely"

Signed by Representatives Luders, Chairman; Smith, Vice Chairman; Bauer, Beck, Charnley, Goltz, Kraabel, McCormick, Nelson, North (Lois), Valle.

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

#### MOTION

On motion of Mr. Thompson, all bills listed on the supplemental standing committee report were passed to the Committee on Rules for second reading.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

	SUBSTITUTE HOUSE BILL NO.	135,
	HOUSE BILL NO.	150,
	HOUSE BILL NO.	566,
	HOUSE BILL NO.	636,
SECOND	SUBSTITUTE HOUSE BILL NO.	637,
	HOUSE BILL NO.	717,
	HOUSE BILL NO.	761,
	HOUSE BILL NO.	804,
	HOUSE BILL NO.	1031,
	HOUSE BILL NO.	1206,
	HOUSE BILL NO.	1211,
	HOUSE BILL NO.	1240,
	HOUSE BILL NO.	1261,
	HOUSE BILL NO.	1272,
	HOUSE BILL NO.	1273,
	HOUSE BILL NO.	1302,
	HOUSE BILL NO.	1309,
	HOUSE BILL NO.	1373,
	HOUSE BILL NO.	1388,
	HOUSE JOINT MEMORIAL NO.	17.

#### MOTION

On motion of Mr. Charette, the House adjourned until 9:00 a.m., Thursday, February 7, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-FIFTH DAY

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MORNING SESSION

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House Chamber, Olympia, Wash., Thursday, February 7, 1974.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present, except Representative Thompson, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George Poor of the Riverton Park United Methodist Church of Seattle.

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

MESSAGES FROM THE SENATE

February 6, 1974

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3209,

SENATE BILL NO. 3304,

SUBSTITUTE SENATE BILL NO. 3378,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 6, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1508,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

February 6, 1974

Mr. Speaker:

The Senate has passed:

REENGROSSED HOUSE BILL NO. 385,

SUBSTITUTE HOUSE BILL NO. 671,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 757,

ENGROSSED HOUSE BILL NO. 916,

SUBSTITUTE HOUSE BILL NO. 967,

ENGROSSED HOUSE BILL NO. 1173,

HOUSE BILL NO. 1180,

HOUSE BILL NO. 1226,

HOUSE BILL NO. 1294,

ENGROSSED HOUSE BILL NO. 1303,

HOUSE BILL NO. 1354,

HOUSE BILL NO. 1355,

HOUSE BILL NO. 1356,

HOUSE BILL NO. 1357,  
HOUSE BILL NO. 1358,  
HOUSE BILL NO. 1360,  
HOUSE BILL NO. 1361,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 5, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 149,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### INTRODUCTION AND FIRST READING

SENATE BILL NO. 3209, by Senators Sandison, Donohue, Atwood  
and Clarke:

AN ACT Relating to taxation of insurance premiums; and  
amending section 1, chapter 166, Laws of 1963 and RCW  
48.14.021.

To Committee on Ways and Means - Revenue.

SENATE BILL NO. 3304, by Senators Donohue, Sellar,  
Sandison, Woodall and Matson:

AN ACT Relating to state government and the support  
thereof; providing for the planning, construction,  
furnishing and equipping of an office-laboratory  
building and facilities at Washington State University  
Tree Fruit Research Center and providing for the  
financing thereof by the issuance of bonds; making an  
appropriation; creating new sections; adding new  
sections to chapter 28B.30 RCW; and declaring an  
emergency.

To Committee on Ways and Means - Appropriations.

SUBSTITUTE SENATE BILL NO. 3378, by Committee on Ways and  
Means (Originally sponsored by Senators Donohue and  
Atwood - by Executive request):

AN ACT Relating to appropriations and reappropriations;  
amending section 74, chapter 137, Laws of 1973 1st ex.  
sess. (uncodified); amending section 89, chapter 137,  
Laws of 1973 1st ex. sess. (uncodified); amending  
section 2, chapter 114, Laws of 1973 1st ex. sess.  
(uncodified); amending section 4, chapter 114, Laws of  
1973 1st ex. sess. (uncodified); amending section 6,  
chapter 114, Laws of 1973 1st ex. sess. (uncodified);  
amending section 7, chapter 114, Laws of 1973 1st ex.  
sess. (uncodified); amending section 9, chapter 114,  
Laws of 1973 1st ex. sess. (uncodified); amending  
section 10, chapter 114, Laws of 1973 1st ex. sess.



(uncodified); and declaring an emergency.

To Committee on Ways and Means - Appropriations.

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 149,  
by Committee on Constitution and Elections (Originally  
sponsored by Senators Washington and Scott):

Relating to governmental powers.

To Committee on State Government.

#### MOTION

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

#### THIRD READING

SUBSTITUTE HOUSE BILL NO. 1037, by Committee on Agriculture  
(Originally sponsored by Representative Kilbury):

Regulating the egg industry.

The bill was read the third time.

Mr. Hansey spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1037, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehne, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoeh, Smith, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Laughlin.

Not voting: Representatives Kraabel, Morrison, Rabel, Thompson.

Substitute House Bill No. 1037, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1407, by Representatives Sommers and Randall:

Defining "adopted child" for purposes of the inheritance land gift tax laws.

The bill was read the third time.

Ms. Sommers spoke in favor of the bill, and Mr. Cunningham spoke against it.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Cunningham.

Mr. Cunningham: "Is a child over 18, by this bill, going to be precluded from being adopted?"

Mr. Charette: "No, only from taking advantage of certain tax exemptions or tax credits. This doesn't interfere with the fact that a stepchild also comes within a classification under the inheritance tax law."

Mr. Cunningham: "If I understand that correctly, what you are saying is that while the child can be adopted over 18, he is simply going to be precluded in sharing in the family estate or residue?"

Mr. Charette: "What this bill addresses itself to is an attempt on the part of some people to adopt a child--a sister adopting a brother was given as an example. This bill only addresses itself to the inheritance tax law. It doesn't preclude the adoption of anyone."

Representatives Bluechel and Sommers spoke in favor of the bill, and Representative Julin spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1407, and the bill passed the House by the following vote: Yeas, 62; nays, 32; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Blair, Brown, Ceccarelli, Charette, Charnley, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Haussler, Hoggins, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Newhouse, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Bluechel, Cunningham, Curtis, Flanagan, Fortson, Freeman, Garrett, Hansen, Hansey, Hayner, Hendricks, Honan, Juelling, Julin, Kishimoto, Kopet, Kuehne, Leckenby, Matthews, Nelson, North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Not voting: Representatives Chatalas, Hurley, Morrison, Thompson.

House Bill No. 1407, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, ENGROSSED SENATE BILL NO. 2572 was made a special order of business for 2:00 p.m. today.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2675, as amended by the House, by Committee on Social and Health Services (Originally sponsored by Senator Day):

Revising the laws regulating chiropractic.

The bill was read the third time.

Mr. Adams spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2675 as amended by the House, and the bill passed the House by the following vote: Yeas, 76; nays, 19; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Benitz, Berentson, Bluechel, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Beck, Blair, Brown, Charnley, Curtis, Douthwaite, Eikenberry, Hayner, Hendricks, Kopet, Kraabel, Nelson, North L., Pardini, Pullen, Rabel, Tilly, Zimmerman.

Not voting: Representatives Julin, Morrison, Thompson.

Engrossed Substitute Senate Bill No. 2675 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, consideration of ENGROSSED SENATE BILL NO. 3003 was deferred, and the bill was ordered placed at the bottom of today's third reading calendar.

ENGROSSED SENATE BILL NO. 3078, as amended by the House, by Committee on Agriculture (Endorsed by Senators Jolly, Sellar, Day, Donohue and Washington):

Making changes in the laws relating to commission merchants.

The bill was read the third time.

Representatives Kilbury, Tilly and Van Dyk spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3078 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Thompson.

Engrossed Senate Bill No. 3078 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, the House reverted to the sixth order of business.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## MESSAGE FROM THE SENATE

February 7, 1974

Mr. Speaker:

The President has signed:

	SUBSTITUTE HOUSE BILL NO.	135,
	HOUSE BILL NO.	150,
	HOUSE BILL NO.	566,
	HOUSE BILL NO.	636,
SECOND SUBSTITUTE	HOUSE BILL NO.	637,
	HOUSE BILL NO.	717,
	HOUSE BILL NO.	761,
	HOUSE BILL NO.	804,
	HOUSE BILL NO.	1031,
	HOUSE BILL NO.	1206,
	HOUSE BILL NO.	1211,
	HOUSE BILL NO.	1240,
	HOUSE BILL NO.	1261,
	HOUSE BILL NO.	1272,
	HOUSE BILL NO.	1273,
	HOUSE BILL NO.	1302,
	HOUSE BILL NO.	1309,
	HOUSE BILL NO.	1373,
	HOUSE BILL NO.	1388,
	HOUSE JOINT MEMORIAL NO.	117,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

Mr. Thompson appeared at the bar of the House.

## SECOND READING

SENATE BILL NO. 2989, by Senators Mattingly, Talley and Sellar:

Authorizing members of legislative bodies of cities and towns to serve as volunteer firemen and receive like compensation and benefits as others so employed.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2989 was placed on final passage.

Mrs. Johnson spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2989, and the bill passed the House by the following vote: Yeas, 93; nays, 4; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner,

Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Kraabel, North L., Rabel.

Not voting: Representative Pullen.

Senate Bill No. 2989, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

Please change my vote on Senate Bill No. 2989 from "Yea" to "Nay".

GARY A. NELSON, 21st District.

#### MOTION

On motion of Mr. Thompson, consideration of ENGROSSED SENATE BILL NO. 3023 was deferred, and the bill was ordered placed on the second reading calendar after House Bill No. 1505.

ENGROSSED SENATE BILL NO. 3052, by Senators Francis, Atwood, Lewis (Harry), Durkan and Grant:

Protecting rights in sound recordings.

The bill was read the second time.

Mr. Charette moved adoption of the following amendment: On page 1, beginning on line 20 strike all of section 3 and renumber the remaining sections consecutively.

Mr. Charette spoke in favor of the amendment, and Mr. Williams spoke against it.

Mr. Tilly demanded an electric roll call, and the demand was sustained.

Mr. Moon spoke against the amendment, and Representatives Charette and Smith spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Charette to Engrossed Senate Bill No. 3052, and the amendment was lost by the following vote: Yeas, 46; nays, 48; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Ceccarelli, Charette, Eikenberry, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hurley, Jastad, Johnson, Kelley, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Martinis, May, McCormick, North F., O'Brien, Parker, Patterson, Perry, Polk, Smith, Sommers, Thompson, Valle, Warnke, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Flanagan, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kalich, Kishimoto, Kopet, Kraabel, Kuehnle, Lysen, Matthews, Maxie, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Pullen, Randall, Schumaker, Tilly, Williams, Wilson.

Not voting: Representatives Rabel, Savage, Shipoch, Van Dyk.

Engrossed Senate Bill No. 3052 was passed to the Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 3059, by Senators Walgren, Whetzel and Murray:

Authorizing port police to exercise full police powers.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3059, was placed on final passage.

Mrs. Johnson spoke in favor of the bill.

#### POINT OF INQUIRY

Mrs. Johnson yielded to question by Mr. Morrison.

Mr. Morrison: "Representative Johnson, may we have your assurance that this bill in no way would qualify these port policemen for membership in the law enforcement and firefighters' pension system?"

Mrs. Johnson: "The members of these port police continue to be members of the port employment force and not members of the LEFF system."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3059, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley,

Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Brown.

Engrossed Senate Bill No. 3059, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Conner, consideration of SENATE BILL NO. 3080 was deferred, and the bill was ordered placed on the calendar following House Bill No. 1505.

ENGROSSED SENATE BILL NO. 3122, by Senator Twigg:

Making class A, B, C, D, or H liquor licenses at Expo '74 valid for one hundred ninety days without renewal.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3122 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3122, and the bill passed the House by the following vote: Yeas, 90; nays, 8; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.



Voting nay: Representatives Bauer, Cunningham, Ehlers, Kelley, Paris, Polk, Pullen, Zimmerman.

Engrossed Senate Bill No. 3122, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Conner, consideration of HOUSE BILL NO. 1505 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED SENATE BILL NO. 3023, by Senators Guess, Jolly and Donohue:

Exempting certain activities from certain requirements of the environmental impact act.

The bill was read the second time.

Mr. Julin moved adoption of the following amendment:

On page 1, after section 1, add a new section to read as follows:

"Sec. 2. Section 2, chapter 179, Laws of 1973 1st ex. sess. and RCW 43.21C.080 are each amended to read as follows:

(1) Notice of any action taken by a governmental agency ((which is a major action significantly affecting the quality of the environment<sup>1</sup> pertaining to any private project shall be published)) may be publicized by the acting governmental agency, the applicant for, or the proponent of such ((project)) action, in ((a form approved)) a form substantially as set forth in subsection (3) of this section and in the following manner:

(a) By posting a copy of the notice of the governmental action in a conspicuous place in full public view on the property which is the subject matter of such action: PROVIDED, That in lieu of such posting, by publishing a copy of such notice ((by the governmental agency)) on the same day of each week for two consecutive weeks in a newspaper of general circulation in the county, city, or general area where the property which is the subject of the action ((and where such governmental agency has its principal offices)) is located.

(b) By filing notice of such action with the department of ecology at its main office in Olympia.

(c) By filing notice of such action with the county auditor of the county where the subject matter of such action, or any part thereof is situated. In the event a copy of the notice filed has been posted pursuant to subsection (1) (a) of this section, an affidavit declaring such posting and the date thereof shall be attached to and be filed with the notice filed with the county auditor. The fee for such filing shall be two dollars, which fee shall be payable to the auditor at the time of filing.

(2) Any action to set aside, enjoin, review, or otherwise challenge any such governmental action ((of a governmental agency with respect to any private project)) for which notice is given as provided in subsection (1) of this section, on grounds of noncompliance with the provisions of this chapter shall be commenced within sixty days from the ((final)) date of ((publication of notice)) filing of such ((action)) notice with the county auditor, or be barred: PROVIDED, HOWEVER, That on governmentally sponsored projects the period shall be ninety days: PROVIDED FURTHER, That in the event of publication by newspaper, said sixty day period shall commence with the date of filing of the notice with the county auditor or date of final newspaper publication, which ever is later.

(3) The form for such notice of action shall be issued by the department of ecology and shall be made available by the governmental agency taking an action subject to being publicized pursuant to this section, the county auditor, and/or the city clerk to the project applicant or proposer. The form of such notice shall be substantially as follows:

NOTICE OF ACTION BY .....

(Government agency or entity)

Pursuant to the provisions of chapter 43.21C RCW, notice is hereby given that:

The ..... (Government agency or entity) did on ..... (date), take action which may be held or deemed to be 'a major action significantly affecting the quality of the environment'.

Any action to set aside, enjoin, review, or otherwise challenge such action on the grounds of noncompliance with the provisions of chapter 43.21C RCW (State Environmental Policy Act) shall be commenced within sixty or ninety days, as appropriate, from the final date of publication or filing of this notice of such action with the county auditor, whichever date is later, or be barred.

The action taken by ..... (Government agency or entity) referred to above, notice of which is hereby given, was as follows:

(1) (Here insert description of action taken such as: Adopted Ordinance No. ....; Issued Building Permit: Approved preliminary (or final) plat, etc.)

(2) (Here insert the approximate cost and description of the project.)

Said action pertained to property commonly known

as: .....  
 .....  
 .....  
 .....

(Legal description of property)

.....  
(Name of government agency, proponent, or applicant giving notice)  
 Filed by .....

(Signature of individual and capacity in which such individual is signing)

Remember the remaining sections accordingly.

## POINT OF ORDER

Mr. Kilbury: "Mr. Speaker, I would desire a ruling from you on the scope and object of this amendment. The bill speaks to a use of environmental impact on irrigation water."

## SPEAKER'S RULING

The Speaker: "Although the amendment might be within the title of the bill, the bill is exempting certain irrigation projects used for agricultural irrigation from RCW 43.21, and this requires a statement of environmental impact. The amendment goes to an entirely different matter, much beyond that, of all actions affecting government agencies, so it is my conclusion that the amendment is beyond the scope and object of the bill, and therefore out of order."

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3023 was placed on final passage.

Mr. Kilbury spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3023, and the bill passed the House by the following vote: Yeas, 83; nays, 15; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North P., O'Brien, Pardini, Parker, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Brown, Charnley, Cunningham, Douthwaite, Julin, Kraabel, Nelson, North L., Paris, Polk, Rabel, Valle, Williams.

Engrossed Senate Bill No. 3023, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. O'Brien assumed the Chair.

SENATE BILL NO. 3080, by Committee on Agriculture (Endorsed by Senators Jolly, Sellar, Donohue, Day, Washington and Matson):

Implementing the laws relating to livestock brands.

The bill was read the second time.

Mr. Van Dyk moved adoption of the following amendment by Representatives Van Dyk and Moon:

On page 3, after section 6 insert a new section as follows:

"NEW SECTION. Sec. 7. The provisions of this act shall not apply to any unbranded calves of a dairy breed weighing less than one hundred twenty-five pounds."

Renumber the remaining section consecutively.

Mr. Van Dyk spoke in favor of the amendment, and Representatives Hansen, Newhouse and Bagnariol spoke against it.

Mr. Van Dyk spoke again in favor of the amendment.

The amendment was not adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3080 was placed on final passage.

Mr. Kilbury spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3080, and the bill passed the House by the following vote: Yeas, 93; nays, 5; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smith, Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Bauer, Chatalas, Goltz, Shinpoch, Van Dyk.

Senate Bill No. 3080, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Thompson, consideration of HOUSE BILL NO. 779 was deferred, and the bill was ordered placed on the second reading calendar for tomorrow.

HOUSE BILL NO. 1039, by Representative Kilbury:

Relating to water rights.

On motion of Mr. Kilbury, Second Substitute House Bill No. 1039 was substituted for House Bill No. 1039, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1039 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Second Substitute House Bill No. 1039 was placed on final passage.

Debate ensued, Representatives Kilbury, Curtis, Amen, Savage and Haussler speaking in favor of the bill, and Representatives Zimmerman and Kraabel speaking against its passage.

## ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1039, and the bill passed the House by the following vote: Yeas, 81; nays, 14; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, O'Brien, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bauer, Blair, Charette, Ellis, Eng, Kalich, Kishimoto, Kraabel, North F., North L., Pullen, Rabel, Thompson, Zimmerman.

Not voting: Representatives Nelson, Pardini, Paris.

Second Substitute House Bill No. 1039, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1245, by Representatives Kuehnle, Morrison, Conner, King, Barnes, Honan and Hayner (by Washington Public Employees' and Law Enforcement and Firefighters' Retirement Board request):

Enacting 1974 LEFF retirement system amendments.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments see Journal for 16th day, 3rd ex. sess., January 29, 1974.)

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-fourth day, 3rd ex. sess., February 6, 1974.)

Mr. Shinpoch moved adoption of the committee amendment to page 10.

Mr. Shinpoch moved adoption of the following amendment to the committee amendment to page 10:

On the third line from the bottom of the committee amendment strike "seventy-five" and insert "sixty"

Mr. Shinpoch spoke in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Morrison.

Mr. Morrison: "Representative Shinpoch, in committee was there any indication that this limitation now placed in the LEFF system would apply to anyone who is currently employed or under that system, or would this only apply to future new-hires?"

Mr. Shinpoch: "I don't recall whether testimony in committee indicated it or not, but it is my understanding that those people who are in the system now are vested with no limits. This only applies, whether it's 60 or 75, to people coming in after the effective date of this act."

Mr. Morrison spoke in favor of the amendment to the committee amendment, and Mr. Luders spoke against it.

Mr. Curtis spoke in favor of the amendment to the first committee amendment.

The amendment to the committee amendment was adopted.

The first committee amendment as amended was adopted.

On motion of Mr. Shinpoch, the remaining amendments by the Committee on Ways and Means - Appropriations were adopted.

On motion of Mr. Haussler, the committee amendment by the Committee on Local Government was adopted.

On motion of Mr. Bagnariol, the following amendment was adopted:

On page 17, section 7, line 15 after "employees" and before the period insert ": AND PROVIDED FURTHER, That for one year after the effective date of this 1974 amendatory act any such medical or health standard now existing or hereinafter adopted, insofar as it establishes a maximum age beyond which an applicant is to be deemed ineligible for coverage, shall be waived as to any applicant for employment or reemployment who is otherwise eligible except for his age, who has been a member of any one or more of the retirement systems created by chapter 41.20 of the Revised Code of Washington and who has restored all contributions which he has previously withdrawn from any such system or systems"

On motion of Mr. Conner, the committee amendment to the title was adopted.

House Bill No. 1245 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1245 was placed on final passage.

Representatives Kuehnle and Haussler spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1245, and the bill passed the House by the following vote: Yeas, 94; nays, 2; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Charette, Moon.

Not voting: Representatives Parker, and Mr. Speaker.

Engrossed House Bill No. 1245, having received the constitutional majority, was declared passed. There being

no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, consideration of HOUSE JOINT RESOLUTION NO. 43 was deferred and it was ordered held for tomorrow's second reading calendar.

#### MOTIONS

On motion of Mr. Thompson, Representative Parker was excused from further business of the House.

On motion of Mr. Charette, all bills passed by the House to this point in the proceedings were ordered immediately transmitted to the Senate.

REENGROSSED SENATE BILL NO. 2235, by Senators Walgren and Herr:

Requiring precinct officers to appear on absentee ballots.

The bill was read the second time.

#### MOTION

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Reengrossed Senate Bill No. 2235 be placed on final passage.

Mr. Newhouse spoke against the motion.

Mr. Thompson demanded an electric roll call and the demand was sustained.

Mr. King spoke in favor of the motion to advance the bill to final passage.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Conner to advance Reengrossed Senate Bill No. 2235 to third reading and final passage, and the motion was carried by the following vote: Yeas, 65; nays, 31; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Berentson, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Pardini, Patterson, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.



Voting nay: Representatives Barnes, Benitz, Blair, Bluechel, Brown, Cunningham, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hayner, Honan, Juelling, Julin, Kishimoto, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Paris, Polk, Pullen, Rabel, Schumaker, Wilson, Zimmerman.

Not voting: Representatives Hoggins, Parker.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Reengrossed Senate Bill No. 2235.

Representatives Rabel and Zimmerman spoke against the bill, and Mr. Charette spoke in favor of its passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2235, and the bill passed the House by the following vote: Yeas, 54; nays, 42; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hendricks, Hurley, Johnson, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, O'Brien, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hausssler, Hayner, Hoggins, Honan, Jastad, Juelling, Julin, Kalich, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Not voting: Representatives North F., Parker.

Reengrossed Senate Bill No. 2235, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, Reengrossed Senate Bill No. 2235 was ordered transmitted immediately to the Senate.

REENGROSSED SENATE BILL NO. 2408. by Senators Walgren, Twigg and Sandison:

Authorizing remedies and penalties for violation of municipal competitive bidding requirements.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Reengrossed Senate Bill No. 2408 was placed on final passage.

Mr. Williams spoke in favor of the bill.

POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Charnley.

Mr. Charnley: "I am concerned about the language on page 1, the words on line 12 'wilful and intentional.' I wonder if you might clarify something for me. Do I understand this phrase in line 12 to mean that a city purchasing agent, as an example, who awards a contract in wilful and intentional violation of the city bid law could not implicate any other city official, for example the council or the mayor, unless the council or the mayor themselves willed or intended the violation?"

Mr. Williams: "That is correct. In the hypothetical situation which you described, the mayor and the council themselves would have had to have willed or intended the violation. They could do so either by having expressly directed the purchasing agent to commit the violation or by approving the award of contract with knowledge that it had been awarded in violation of the bid law; however under section 1 of this bill there is no way that a subordinate officer can trap his superiors in either a criminal or civil violation without the superior officer's knowledge that to support him was wilfully and intentionally acting in violation of the law."

POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Charette.

Mr. Charette: "Representative Williams, in your opinion is it the intention of the legislature in passing this bill to adopt the answer that you have just given to Representative Charnley?"

Mr. Williams: "Yes."

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2408, and the bill passed the House by the following vote: Yeas, 95; nays, 2; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles,

Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Julin, Newhouse.

Not voting: Representative Parker.

Reengrossed Senate Bill No. 2408, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, consideration of ENGROSSED SENATE BILL NO. 2488 and SENATE BILL NO. 2540 was deferred, and the bills were ordered placed on the calendar following Engrossed Senate Bill No. 3039.

REENGROSSED SENATE BILL NO. 2584, by Senators Odegaard and Talley:

Fixing compensation of diking district commissioners for labor other than attendance at meetings.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Reengrossed Senate Bill No. 2584 was placed on final passage.

Mr. Kalich spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Senate Bill No. 2584, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Moon, Parker.

Reengrossed Senate Bill No. 2584, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2904, by Senator Dore:

Relating to savings and loan associations.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-fourth day, 3rd ex. sess., February 6, 1974.)

On motion of Mr. Ceccarelli, the committee amendments were adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2904 as amended by the House was placed on final passage.

Representatives Ceccarelli and Conner spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2904 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Cunningham, Nelson.

Not voting: Representatives Julin, Parker.

Engrossed Senate Bill No. 2904 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Mr. Charette, Reengrossed Senate Bill No. 2408, Reengrossed Senate Bill No. 2584 and Engrossed Senate Bill No. 2904 as amended by the House, were ordered immediately transmitted to the Senate.

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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AFTERNOON SESSION  
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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

## SPECIAL ORDER OF BUSINESS

The hour of 2:00 p.m. having arrived, the Speaker (Mr. O'Brien presiding) declared the question before the House to be the special order of business, ENGROSSED SENATE BILL NO. 2572 on third reading.

ENGROSSED SENATE BILL NO. 2572, by Senators Whetzel, Ridder and Talley:

Clarifying the authority of sewer districts.

The bill was read the third time.

Representative Johnson spoke in favor of the bill.

## POINT OF INQUIRY

Mrs. Johnson yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "On page 7 of the bill, lines 13 to 18, it relates to the fact of the exceptions. Is that proviso understandable to you in terms of what it is doing? I am having a little trouble trying to determine just what that means in the terms of the impact of the resolution ordering improvements."

Mrs. Johnson: "Representative Zimmerman, it has been common practice that public notification has been a 30-day period and this expands it to a 90-day period for consideration of the proposal of the sewer districts."

Mr. Zimmerman: "The last part, where it says '...unless the commissioners file with the county auditor a copy of the notice required...' This is the part that is

concerning me. Do they have a two-year period to act on that particular LID?"

Mrs. Johnson: "Yes, in no way would this change any other regulation for them."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2572, and the bill passed the House by the following vote: Yeas, 84; nays, 8; not voting, 6.

Voting yea: Representatives Adams, Amén, Anderson, Bagnariol, Barnes, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kuehnle, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bauer, Ehlers, Erickson, Kelley, Kishimoto, Laughlin, Pullen, Zimmerman.

Not voting: Representatives Hendricks, Kraabel, Leckenby, Parker, Sommers, Warnke.

Engrossed Senate Bill No. 2572, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, the House reverted to the sixth order of business.

#### SECOND READING

ENGROSSED SENATE BILL NO. 3002, by Senators Walgren, Talley, Day, Metcalf and Jones:

Permitting the state to make purchases from sheltered workshops.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3002 was placed on final passage.

Mr. Adams spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3002, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Erickson.

Not voting: Representatives Hendricks, Kishimoto, Parker.

Engrossed Senate Bill No. 3002, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Please register my vote in favor of Engrossed Senate Bill No. 3002.

PHYLLIS K. ERICKSON, 2nd District.

MESSAGE FROM THE SENATE

February 7, 1974

Mr. Speaker:

The President has signed:

- SENATE BILL NO. 2329,
- THIRD SUBSTITUTE SENATE BILL NO. 2843,
- SENATE BILL NO. 2969,
- SENATE BILL NO. 3040,
- SENATE BILL NO. 3050,
- SENATE BILL NO. 3077,
- SENATE BILL NO. 3168,
- SENATE BILL NO. 3229,
- SENATE BILL NO. 3351,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SECOND READING

ENGROSSED SENATE BILL NO. 3024, by Senators Marsh and Francis:

Authorizing arrests for violations of superior court restraining orders under certain conditions.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-third day, 3rd ex. sess., February 5, 1974.)

Mr. Kelley moved adoption of the committee amendment.

On motion of Mr. Kelley the following amendment by Representatives Kelley and Julin to the committee amendment was adopted:

After "(3)" and before "Restraining" insert "The remedies provided by this section shall not apply unless"

The committee amendment as amended was adopted.

On motion of Mr. Kelley, the committee amendment to the title was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3024 as amended by the House was placed on final passage.

Mr. Kelley spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 3024 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Martinis.

Not voting: Representatives Amen, Hendricks, Moon, Parker, Perry, Williams.



Engrossed Senate Bill No. 3024 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3027, by Senators Talley, Peterson (Ted) and Connor:

Defining "uniformed personnel" for purposes of public employees' collective bargaining.

The bill was read the second time.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Senate Bill No. 3027 be placed on final passage.

Mr. Charette demanded an electric roll call on the motion, and the demand was sustained.

Mr. Cunningham spoke against the motion to advance Senate Bill No. 3027 to final passage, and Mr. King spoke in favor of it.

ROLL CALL

The Clerk called the roll on the motion by Mr. Conner to advance Senate Bill No. 3027 to final passage, and the motion failed by the following vote: Yeas, 46; nays, 49; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Eikenberry, Ellis, Eng, Gallagher, Gaspard, Goltz, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, O'Brien, Perry, Randall, Savage, Shipoch, Smith, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Ehlers, Erickson, Flanagan, Fortson, Freeman, Gaines, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hoggins, Honan, Jueling, Julin, Kelley, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North F., North L., Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Sommers, Tilly, Wilson, Zimmerman.

Not voting: Representatives Hendricks, Paris, Parker.

Senate Bill No. 3027 was passed to the Committee on Rules for third reading.

ENGROSSED SENATE BILL NO. 3039, by Senator Day:

Granting certain powers to the parks and recreation committee.

The bill was read the second time.

Committee on Parks and Recreation recommendation: Majority, do pass as amended. (For amendments see Journal for twenty-third day, 3rd ex. sess., February 5, 1974.)

Mrs. Hurley moved adoption of the committee amendments, and spoke in favor of them.

#### POINT OF INQUIRY

Mrs. Hurley yielded to question by Mr. Charnley.

Mr. Charnley: "Mrs. Hurley, this then is not to intend that it would have to be 20 years; the lease could be for any length of time up to 20 years?"

Mrs. Hurley: "This is true."

The committee amendments were adopted.

On motion of Mrs. Hurley, the following amendment by Representatives Hurley and Randall was adopted:

On page 1, line 11 after "towers" insert ": PROVIDED FURTHER, That notwithstanding any term to the contrary in any lease, this section shall not preclude the commission from prescribing new and reasonable lease terms relating to the modification, placement or design of facilities operated by or for a station, and any extension of a lease granted under this section shall be subject to this proviso"

Mr. Hoggins moved adoption of the following amendment:

On page 1, section 1, line 11 of the printed bill after "towers" insert ": PROVIDED FURTHER, That notwithstanding any other provision of law the director in his discretion may waive any requirement that an environmental impact statement or environmental assessment be submitted as to any lease negotiated and signed between January 1, 1974 and December 31, 1974"

#### POINT OF ORDER

Mr. Julin: "Will the Speaker rule on whether or not this amendment is within the scope and object of the bill?"

#### SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "It appears to the Speaker that it is. It is just another proviso relative to the lease agreement."

Representatives Hoggins and Hurley spoke in favor of the amendment, and it was adopted.

Mr. Julin moved adoption of the following amendment:

"Sec. 2. Section 2, chapter 179, Laws of 1973 1st ex. sess. and RCW 43.21C.080 are each amended to read as follows:

(1) Notice of any action taken by a governmental agency ((which is 'a major action significantly affecting the quality of the environment' pertaining to any private project shall be published)) may be publicized by the acting governmental agency, the applicant for, or the proponent of such ((project)) action, in ((a form approved)) a form substantially as set forth in subsection (3) of this section and in the following manner:

(a) By posting a copy of the notice of the governmental action in a conspicuous place in full public view on the property which is the subject matter of such action; PROVIDED, That in lieu of such posting, by publishing a copy of such notice ((by the governmental agency;)) on the same day of each week for two consecutive weeks in a newspaper of general circulation in the county, city, or general area where the property which is the subject of the action ((and where such governmental agency has its principal offices)) is located.

(b) By filing notice of such action with the department of ecology at its main office in Olympia.

(c) By filing notice of such action with the county auditor of the county where the subject matter of such action, or any part thereof is situated. In the event a copy of the notice filed has been posted pursuant to subsection (1) (a) of this section, an affidavit declaring such posting and the date thereof shall be attached to and be filed with the notice filed with the county auditor. The fee for such filing shall be two dollars, which fee shall be payable to the auditor at the time of filing.

(2) Any action to set aside, enjoin, review, or otherwise challenge any such governmental action ((of a governmental agency with respect to any private project)) for which notice is given as provided in subsection (1) of this section, on grounds of noncompliance with the provisions of this chapter shall be commenced within sixty days from the ((final)) date of ((publication of notice)) filing of such ((action)) notice with the county auditor, or be barred; PROVIDED, HOWEVER, That on governmentally sponsored projects the period shall be ninety days; PROVIDED FURTHER, That in the event of publication by newspaper, said sixty day period shall commence with the date of filing of the notice with the county auditor or date of final newspaper publication, which ever is later.

(3) The form for such notice of action shall be issued by the department of ecology and shall be made available by the governmental agency taking an action subject to being publicized pursuant to this section, the county auditor, and/or the city clerk to the project applicant or proposer. The form of such notice shall be substantially as follows:

NOTICE OF ACTION BY .....  
(Government agency or entity)  
Pursuant to the provisions of chapter 43.21C RCW, notice is hereby given that:

The ..... (Government agency or entity) did on ..... (date), take action which may be held or deemed to be 'a major action significantly affecting the quality of the environment'. Any action to set aside, enjoin, review, or otherwise challenge such action on the grounds of noncompliance with

the provisions of chapter 43.21C RCW (State Environmental Policy Act) shall be commenced within sixty or ninety days, as appropriate, from the final date of publication or filing of this notice of such action with the county auditor, whichever date is later, or be barred.

The action taken by ..... (Government agency or entity) referred to above, notice of which is hereby given, was as follows:

(1) (Here insert description of action taken such as: Adopted Ordinance No. ....: Issued Building Permit: Approved preliminary (or final) plat, etc.)

(2) (Here insert the approximate cost and description of the project.)

Said action pertained to property commonly known

as: .....  
.....  
.....  
.....  
(Legal description of property)

.....  
(Name of government agency, proponent,  
or applicant giving notice)

Filed by .....  
(Signature of individual and capacity in  
which such individual is signing)"

POINT OF ORDER

Mr. Charette: "Mr. Speaker, I raise the question of whether or not this amendment is within the scope and object of the bill."

The Speaker (Mr. O'Brien presiding): "It appears that this amendment is far beyond the scope and object of the original bill. It pertains to parks and recreation installations, and it is true that one amendment was offered to waive the environmental impact for a one-year lease agreement, but this amendment goes far beyond the scope and object, and therefore, it is out of order."

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3039 as amended by the House was placed on final passage.

Representatives Hurley and Van Dyk spoke in favor of the bill, and Representative Charnley spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3039 as amended by the House, and the bill passed the House by the following vote: Yeas, 76; nays, 19; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Clemente, Ellis, Eng,

Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Johnson, Jueling, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Tilly, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Anderson, Blair, Bluechel, Charnley, Chatalas, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Gaspard, Jastad, Julin, Kalich, Kraabel, Polk, Rabel, Thompson, Valle.

Not voting: Representatives Conner, Parker, Sommers.

Engrossed Senate Bill No. 3039 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2488, by Senators Van Hollebeke, Woody, Atwood, Mardesich, Greive, Walgren and Twiggs:

Amending the implied consent law to permit a person who has refused the test to plead guilty and keep his license.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-fourth day, 3rd ex. sess., February 6, 1974.)

On motion of Mr. Smith, the committee amendment to page 1, line 4 was adopted.

Mr. Smith moved adoption of the committee amendment to page 1, line 24.

Mr. Smith spoke in favor of the committee amendment, and Mr. Newhouse spoke against it.

The amendment was adopted.

On motion of Mr. Smith, the remaining committee amendments were adopted.

Mr. Eikenberry moved adoption of the following amendments by Representatives Eikenberry, Julin and Smith:

On page 1, section 1, line 23 after "test" strike all material down to and including "liquor" on line 25

On page 2, section 1, line 9 after "drive" strike all material down to and including "liquor" on line 12

On page 2, section 1, line 20 after "drive" strike all material down to and including "liquor" on line 23

On page 3, section 1, line 18 after "drive" strike all material down to and including "liquor" on line 21

## POINT OF INQUIRY

Mr. Eikenberry yielded to question by Mr. Kelley.

Mr. Kelley: "Representative Eikenberry, you intend by virtue of your amendments to strike several warnings that are provided under this chapter to the motorists on the road. Would you indicate whether or not in so striking these warnings the initial warnings that are presently in effect under the implied consent law, will remain in effect and require the officer on the road to give those warnings?"

Mr. Eikenberry: "Representative Kelley, you are absolutely correct. The warnings previously required of the officer to give to the motorists will continue to be a requirement and they must be given before the request for the test is made."

The amendments were adopted.

Mr. Smith moved adoption of the following amendment:

On page 3, section 1, line 27 of the printed bill, being line 23 of the engrossed bill, after "rescinded" insert "as of the date of such plea or the date on which the suspension of driving privileges ordered by the court upon such plea ends or would have ended had the person pleading guilty to physical control pleaded guilty to driving under the influence, whichever is later"

## POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Warnke.

Mr. Warnke: "Representative Smith, would you tell me what happens to the individual who refuses to take the test, subsequently does not enter a plea of guilty, goes to court and is proven innocent? Tell me what happens to his license?"

Mr. Smith: "The whole idea of the breathalyzer test, of course, is to give the state some evidence of blood alcohol content, and the idea of the implied consent law is if the individual refuses to take the test then they will receive a revocation just as if they had taken the test and been found innocent, so the answer to that is he would have his license suspended for six months."

## POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Kelley.

Mr. Kelley: "There appears to be some confusion as to the manner in which this amendment will be interpreted, and since it is bound to produce some litigation, would you identify, for the record, your exact purpose in this amendment?"

Mr. Smith: "My purpose is to treat the individual who has entered a plea of being in absolute control of the motor vehicle the same as the person who pleads guilty of driving under the influence; that is, he would receive the same suspension."

The amendment was adopted.

On motion of Mr. Smith, the following amendment was adopted:

On page 4, after subsection 6, add a new subsection as follows:

"(7) The revocation of driving privileges under this section shall be considered as a conviction for the purpose of eligibility for an occupational driver's license as determined under chapter 5, Laws of 1973 and chapter 46.20 RCW."

On motion of Mr. Smith, the committee amendment to the title was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2488 as amended by the House was placed on final passage.

Mr. Smith spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2488 as amended by the House, and the bill passed the House by the following vote: Yeas, 66; nays, 27; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Jueling, Kelley, Kilbury, King, Kishimoto, Knowles, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., O'Brien, Parker, Patterson, Perry, Randall, Savage, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Beck, Benitz, Blair, Bluechel, Brown, Charette, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hoggins, Julin, Kopet, Matthews, Newhouse, North L., Pardini, Paris, Polk, Pullen, Rabel, Shipoch.

Not voting: Representatives Ellis, Kalich, Kraabel, Morrison, Schumaker.

Engrossed Senate Bill No. 2488 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, the Committee on Rules was relieved of ENGROSSED SENATE BILL NO. 3052, and the bill was placed on the second reading calendar for immediate consideration.

ENGROSSED SENATE BILL NO. 3052, by Senators Francis, Atwood, Lewis (Harry), Durkan and Grant:

Protecting rights in sound recordings.

## NOTICE OF RECONSIDERATION

Mr. Julin, having voted on the prevailing side, moved that the House reconsider the vote by which the amendment by Representative Charette failed to pass.

The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the reconsideration of the amendment by Mr. Charette to Engrossed Senate Bill No. 3052.

(For amendment, see morning session.)

The amendment was adopted.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3052 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3052 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kraabel.

Engrossed Senate Bill No. 3052 as amended by the House, having received the constitutional majority, was declared



passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, all bills passed by the House in the afternoon session to this point were ordered transmitted immediately to the Senate.

#### THIRD READING

ENGROSSED SENATE BILL NO. 3003, as amended by the House, by Senator Grant:

Making general revisions to the election laws.

The bill was read the third time.

Mr. King spoke in favor of the bill, and Mr. Pardini spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3003 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 48; nays, 49; not voting, 1.

Voting yea: Representatives Anderson, Bagnariol, Bauer, Bausch, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ellis, Eng, Fortson, Gaines, Garrett, Goltz, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Perry, Randall, Savage, Shinpoch, Smith, Thompson, Valle, Van Dyk, Williams.

Voting nay: Representatives Adams, Amen, Barnes, Beck, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Ehlers, Eikenberry, Erickson, Flanagan, Freeman, Gallagher, Gaspard, Gilleland, Hansen, Hansey, Hayner, Honan, Jueling, Julin, Kelley, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Matthews, Nelson, North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Sommers, Tilly, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Hoggins.

Engrossed Senate Bill No. 3003 as amended by the House, having failed to receive the constitutional majority, was declared lost.

#### NOTICE OF RECONSIDERATION

Mr. Parker, having voted on the prevailing side, moved that the House do now reconsider the vote by which Engrossed Senate Bill No. 3003 as amended by the House failed to pass.

Representatives King and Douthwaite spoke in favor of the motion, and Mr. Pardini spoke against it.

Mr. Tilly demanded an electric roll call, and the demand was sustained.

Mr. Kelley spoke in favor of the motion to reconsider.

#### POINT OF ORDER

Mr. Eikenberry: "As nearly as I can tell, the reconsideration of this is out of order under Rule 70 which says 'An affirmative or negative vote on the final passage of bills may be reconsidered only on the next working day after such vote has been taken...' Then there is a proviso that refers to the fiftieth working day."

#### RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Mr. Eikenberry, I anticipated that someone would raise this question. This is the last working day to consider Senate bills, and we have to treat the rule the same as if we were after the fiftieth day. It would seem to me that it is only fair that we allow this motion today. We are under a special session and we do have the cut-off, so I would think that the theory in back of the House Rule regarding the fiftieth day would apply. Your point is not well taken."

Mr. Brown spoke in favor of the motion to reconsider.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Parker that the House do reconsider final passage of Engrossed Senate Bill No. 3003 as amended by the House, and the motion was carried by the following vote: Yeas, 61; nays, 36; not voting, 1.

Voting yeas: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ellis, Eng, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hendricks, Honan, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Parker, Patterson, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn.

Voting nay: Representatives Amen, Beck, Benitz, Berentson, Bluechel, Cunningham, Curtis, Ehlers, Eikenberry, Erickson, Flanagan, Freeman, Gilleland, Hansey, Hayner, Hoggins, Jueling, Julin, Kishimoto, Kopet, Kraabel, Kuehle, Leckenby, Matthews, Nelson, North L., Pardini, Paris, Polk, Pullen, Schumaker, Tilly, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representative Rabel.

## RECONSIDERATION

The Speaker (Mr. O'Brien presiding) stated the question before the House to be reconsideration of final passage of Engrossed Senate Bill No. 3003 as amended by the House.

## ROLL CALL

The Clerk called the roll on reconsideration of final passage of Engrossed Senate Bill No. 3003 as amended by the House, and the bill passed the House by the following vote: Yeas, 55; nays, 42; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ellis, Eng, Flanagan, Fortson, Gaines, Garrett, Gaspard, Goltz, Hansen, Hendricks, Honan, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, Moon, Morrison, Newhouse, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Thompson, Valle, Van Dyk, Williams.

Voting nay: Representatives Amen, Barnes, Beck, Benitz, Berentson, Bluechel, Cunningham, Curtis, Ehlers, Eikenberry, Erickson, Freeman, Gallagher, Gilleland, Hansey, Haussler, Hayner, Hoggins, Jueling, Julin, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Matthews, McCormick, Nelson, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Sommers, Tilly, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Rabel.

Engrossed Senate Bill No. 3003 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

This Journal comment is to explain my reasoning for moving to reconsider Engrossed Senate Bill No. 3003.

I originally voted "no" on Engrossed Senate Bill No. 3003 and was on the prevailing side with that vote. I voted "no" because I was aware of additional costs that would be incurred by the taxpayers in King and Pierce Counties. However, after a conference between Senate and House members, it became apparent that we could rectify the problem that would cause additional expenses to those counties.

I, therefore, moved for reconsideration, and the bill was subsequently reconsidered and passed.

MIKE PARKER, 29th District.

## STATEMENT FOR THE JOURNAL

I wish to make the same statement as Representative Mike Parker, except for the last paragraph.

MARC GASPARD, 25th District.

## MOTION

On motion of Mr. Charette, the House reverted to the sixth order of business.

## SECOND READING

SENATE BILL NO. 2540, by Senators Woody, Bottiger and Atwood:

Providing for an increase in the salaries of part time district court judges.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments see Journal for twenty-third day, 3rd ex. sess., February 5, 1974.)

On motion of Mr. Knowles, the committee amendment was adopted.

Mr. Conner moved adoption of the following amendment: On page 2, after section 2 insert the following:

"Sec. 3. Section 2, chapter 19, Laws of 1955 as last amended by section 3, chapter 83, Laws of 1971 ex. sess. and RCW 2.08.064 are each amended to read as follows:

There shall be in the counties of Benton and Franklin jointly, three judges of the superior court; in the counties of Clallam and Jefferson jointly, ~~((one judge))~~ two judges of the superior court; in the county of Snohomish, seven judges of the superior court; in the counties of Asotin, Columbia and Garfield jointly, one judge of the superior court; in the county of Cowlitz, two judges of the superior court; in the counties of Klickitat and Skamania jointly, one judge of the superior court."

## POINT OF ORDER

Mr. Julin: "Mr. Speaker, please rule on whether or not the amendment is within the scope and object of the bill. The bill itself deals with district court judges, and the amendment deals with superior court judges."

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "It appears that your point of order is well taken. The amendment is declared out of order; it is not within the title of the bill."

On motion of Mr. Knowles, the committee amendments to the title were adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 2540 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 2540 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Blair.

Not voting: Representative Benitz.

Senate Bill No. 2540 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3055, by Senators Odegaard, Donohue and Canfield:

Extending application period for real property current use classification for 1974.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3055 was placed on final passage.

Mr. Randall spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3055, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto,

Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Senate Bill No. 3055, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3075, by Senators Peterson (Ted), Knoblauch and Rasmussen:

Authorizing the appointment of the secretary of the department of social and health services as a federal fiduciary with respect to estates of veterans.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3075 was placed on final passage.

Mr. Conner spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3075, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Perry.

Senate Bill No. 3075, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3117, by Committee on State Government (Originally sponsored by Senators Newschwander and Stortini):

Allowing alcoholic beverage service in bowling alleys.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3117 was placed on final passage.

Mr. Williams spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Charnley.

Mr. Charnley: "I am concerned about the bowling alley near my house where my children bowl. Can you assure me that the rules and regulations will create a healthy atmosphere for them and the other people who are enjoying the other privileges?"

Mr. Williams: "Yes."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3117, and the bill passed the House by the following vote: Yeas, 71; nays, 25; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hendricks, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Charnley, Cunningham, Curtis, Goltz, Hayner, Hoggins, Honan, Kelley, Kishimoto, Kopet, Kuehne, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Pullen, Tilly, Wilson, Zimmerman.

Not voting: Representatives Kraabel, Moon.

Substitute Senate Bill No. 3117, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

SENATE BILL NO. 3130, by Senator Walgren:

Appropriating moneys for the Clearcreek interchange.

The bill was read the second time.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Senate Bill No. 3130 be placed on final passage.

The motion was carried on a rising vote.

Mr. Smith spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Barnes.

Mr. Barnes: "Do we pass a law every time to get an overpass? If not, how do we normally determine where we have overpasses?"

Mr. Smith: "No, we don't always do it. We do have priority planning and I would stress that this interchange was in the plans for this freeway when it was built. Three interchanges have already been built on the freeway at intersections that have considerably less traffic, but sometimes we have to pass a law, because circumstances change. Now we have a submarine base going in near this interchange and some 30,000 to 40,000 more people are going to be living in this area in the near future. The changing circumstances require passage of this bill."

Mr. Berentson demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3130, and the bill passed the House by the following vote: Yeas, 72; nays, 25; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Charnley, Cunningham, Douthwaite, Eikenberry, Flanagan, Freeman, Gilleland, Hayner, Juelling, Julin, Kelley, Kishimoto, Kraabel, Matthews, North L., Patterson, Polk, Pullen, Rabel, Tilly, Williams, Zimmerman.

Not voting: Representative Nelson.



Senate Bill No. 3130, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3144, by Senators Peterson (Lowell), Peterson (Ted) and Talley:

Making provisions for compensation for fish and wildlife losses.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3144 was placed on final passage.

Mr. Martinis spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3144, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Senate Bill No. 3144, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3145, by Committee on Financial Institutions (Originally sponsored by Senators Dore, Woody, Clarke, Jones and Mardesich):

Permitting the establishment of satellite banking facilities.

The bill was read the second time.

Mr. Gaspard moved adoption of the following amendment:

On page 1, section 1, beginning on line 16 after "transactions" strike ", including, but not being limited to" and insert "for"

POINT OF ORDER

Mr. Ceccarelli: "I am wondering if, by virtue of the fact the three amendments offered by Representative Gaspard are an integral part of the bill, if they could all be treated as one amendment?"

The Speaker: "They are of different subject matter, so we will take them one at a time."

Mr. Gaspard spoke in favor of the amendment, and Mr. Ceccarelli spoke against it.

Mr. Gaspard again spoke in favor of the amendment.

The amendment was adopted.

On motion of Mr. Gaspard, the following amendments were adopted:

On page 1, line 26 following "convenience" insert "and advantage"

On page 1, section 2, beginning on line 26 after "facility." strike the remainder of the section and insert "A satellite facility shall not be located more than twenty-five miles from the main office nor more than ten miles from the branch office of which it is a satellite. A financial institution shall not establish or operate more than one satellite facility of its main office nor more than one satellite facility of each of its branch offices, and shall not establish or operate more than five satellite facilities at any one time: PROVIDED, That the supervisor when promulgating his rules and regulations pertaining to satellite facilities shall be guided by the laws and regulations pertaining to other financial institutions regulated by the state or the federal government or their agencies."

Mr. Clemente moved adoption of the following amendment:

On page 2, section 3, line 9 after "operation" and before the period insert "will be in direct proportion to the total capital, surplus, and individual profits of the participating banks"

Representatives Ceccarelli, Curtis, Van Dyk and Pardini spoke against adoption of the amendment.

The amendment was not adopted.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3145 as amended by the House was placed on final passage.

## POINT OF INQUIRY

Mr. Gaspard yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Gaspard, you have now limited the satellite facilities to five satellite facilities. The bill also provides for sharing. If one bank shares with another bank, does that make the installation that comes along six months later and says 'I will share and pay the cost,' is that one of their five?"

Mr. Gaspard: "My intention, and I think the intent of the bill the way it has been amended now, is that, yes, the share facility would be one of the five that would be subject to the mile limitation and to the number limitation as addressed in the bill."

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3145 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 2; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Moon, Perry.

Substitute Senate Bill No. 3145, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

February 7, 1974

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1084,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 1084.

## MOTION

On motion of Mr. Thompson, the following bills were placed on the calendar in the order given: SENATE JOINT MEMORIAL NO. 106, SENATE BILL NO. 3147, SENATE BILL NO. 3235, SENATE BILL NO. 3366.

## SECOND READING

SENATE JOINT MEMORIAL NO. 106, by Senators Donohue and Walgren:

Providing for a second bridge across the Snake River funded with federal money.

The memorial was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Joint Memorial No. 106 was placed on final passage.

Mr. Amen spoke in favor of the memorial.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 106, and the memorial passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Brown, Chatalas, Eikenberry, Parker, Smith.

Senate Joint Memorial No. 106, having received the constitutional majority, was declared passed.

SENATE BILL NO. 3147, by Senators Walgren and Woody:

Declaring the state ferry system to be a mass transportation system.

The bill was read the second time.

Committee on Transportation and Utilities  
 recommendation: Majority, do pass with the following  
 amendment:

On page 1, section 1, line 7 after "is a" and before  
 "mass" insert "public"

On motion of Mr. Beck, the committee amendment was  
 adopted.

On motion of Mr. Conner, the rules were suspended, the  
 second reading considered the third, and Senate Bill No.  
 3147 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of  
 Senate Bill No. 3147 as amended by the House, and the bill  
 passed the House by the following vote: Yeas, 96; nays, 0;  
 not voting, 2.

Voting yeas: Representatives Adams, Amen, Anderson,  
 Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz,  
 Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette,  
 Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis,  
 Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan,  
 Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland,  
 Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks,  
 Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin,  
 Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet,  
 Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen,  
 Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison,  
 Nelson, Newhouse, North F., North L., O'Brien, Pardini,  
 Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel,  
 Randall, Savage, Schumaker, Shipoch, Smith, Sommers,  
 Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson,  
 Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Eikenberry, Garrett.

Senate Bill No. 3147 as amended by the House, having  
 received the constitutional majority, was declared passed.  
 There being no objection, the title of the bill was ordered  
 to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3235, by Senators Rasmussen,  
 Woody, von Reichbauer, Ridder, Knoblauch and Walgren:

Extending coverage of the minimum wage act.

The bill was read the second time.

Mr. Freeman moved adoption of the following amendment  
 by Representatives Freeman and Wojahn:

On page 2, section 1, line 29 strike "~~(Any individual  
 employed by the state, any county, city, or town, municipal  
 corporation or quasi-municipal corporation, political  
 subdivision, or any instrumentality thereof;~~

~~{j})~~" and insert "Any individual employed by the  
 state, any county, city, or town, municipal corporation or

quasi-municipal corporation, political subdivision, or any instrumentality thereof;

(j) "

Mr. Freeman spoke in favor of the amendment, and Mr. Savage spoke against it.

The amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3235 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3235 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Polk.

Not voting: Representatives Eikenberry, Morrison, Pullen.

Engrossed Senate Bill No. 3235 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3366, by Senators Peterson (Lowell) and Wanamaker:

Granting certain powers to public utility districts.

The bill was read the second time.

The Speaker stated that with the approval of the House the rules were suspended, the second reading considered the third, and Senate Bill No. 3366 was placed on final passage.

Mr. Berentson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3366, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Senate Bill No. 3366, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3206, by Senators Metcalf, Francis and Van Hollebeke:

Providing for a moratorium of one year from the charitable solicitation laws for nonprofessional fund raisers.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-fourth day, 3rd ex. sess., February 6, 1974.)

On motion of Mr. Smith, the committee amendments were adopted.

The Speaker stated that with the approval of the House, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3206 as amended by the House was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3206 as amended by the House, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite,

Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Charnley.

Engrossed Senate Bill No. 3206 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3159, by Senators Sandison and Scott (by Superintendent of Public Instruction request):

Transferring certain duties of state board of education relating to higher education to the council on higher education in the state of Washington.

The bill was read the second time.

The Speaker stated that with the approval of the House the rules were suspended, the second reading considered the third, and Senate Bill No. 3159 was placed on final passage.

Ms. Maxie spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3159, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.



Senate Bill No. 3159, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3329, by Committee on Ecology (Originally sponsored by Senators Washington and Murray):

Providing for the certification of sites for thermal power plants.

The bill was read the second time.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendments see Journal for twenty-fourth day, 3rd ex. sess., February 6, 1974.)

On motion of Mr. Charnley, the committee amendments were adopted.

Mr. Douthwaite moved adoption of the following amendment by Representatives Douthwaite, Goltz and Van Dyk: On page 3, section 2, line 22 after "location" and before the period insert ": Any city or county may require actions pursuant to an application for any land use under this 1974 amendatory act to comply with the provisions of 43.21C.030 RCW and may require sufficient fees to accompany the application to reimburse the cost of such compliance"

Debate ensued, Representatives Douthwaite, Haussler, Kraabel and Van Dyk speaking in favor of the amendment, and Representatives Luders, Perry, Berentson and Morrison speaking against it.

The amendment was not adopted.

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3329 as amended by the House be placed on final passage.

Mr. Douthwaite demanded an electric roll call and the demand was not sustained.

The motion was carried.

Mr. Luders spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3329 as amended by the House, and the bill passed the House by the following vote: Yeas, 82; nays, 13; not voting, 3.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Ceccarelli, Charette, Charnley, Chatalas,

Clemente, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehne, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Brown, Conner, Douthwaite, Eng, Kraabel, Lysen, Moon, Rabel, Van Dyk, Williams, Zimmerman.

Not voting: Representatives Hansey, Johnson, Paris.

Engrossed Substitute Senate bill No. 3329 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

It is not necessary that any studies under subsection 3 of section 2 of this act or any impact statement under SEPA be prepared by the siting council before counties or other branches of government can take action. All counties or other branches of government can take action whether or not the council makes any studies under subsection 3 and before the council has prepared its impact statement.

The intent of the first sentence of subsection 4 of section 2, is to insure that any branch of government may have access to any studies prepared by the council under subsection 3. This act is not intended to create new procedural or substantive requirements.

The intent of subsection 4 of section 2 is to exempt all levels of government except the state siting council from the detailed statement requirements of SEPA, but of course, the state siting council must still comply with all the requirements of SEPA.

EDWARD T. LUDERS, 5th District.

SID W. MORRISON, 15th District.

#### MOTION

On motion of Mr. Charette, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

February 5, 1974

HOUSE BILL NO. 1310. Prime sponsor: Representative Bagnariol, adopting a supplemental budget for sundry and belated claims, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Amen, Bagnariol, Bausch, Charette, Ehlers, Gaspard, Hansey, Hoggins, Kopet, Polk, Smith, Valle, Zimmerman.

February 6, 1974

ENGROSSED SENATE BILL NO. 3044, Prime sponsor: Senator Grant, providing for mandatory dates for holding certain elections, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 29.13.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.13.010 are each amended to read as follows:

All state, county, city, town, and district general elections for the election of federal, state, legislative, judicial, county, city, town, district, and precinct officers, and for the submission to the voters of the state, county, city, town, or district of any measure for their adoption and approval or rejection, shall be held on the first Tuesday after the first Monday of November, in the year in which they may be called. A state-wide general election shall be held on the first Tuesday after the first Monday of November of each year: PROVIDED, That the state-wide general election held in odd-numbered years shall be limited to (1) city, town, and district general elections as provided for in RCW 29.13.020, or as otherwise provided by law; (2) the election of federal officers for the remainder of any unexpired terms in the membership of either branch of the congress of the United States; (3) the election of state and county officers for the remainder of any unexpired terms as provided for in Article II, section 15, Article III, section 10, and Article IV, sections 3 and 5 of the state Constitution and RCW 2.06.080; (4) the election of county officers in any county governed by a charter containing provisions calling for general county elections at this time; and (5) the approval or rejection of state measures, including proposed constitutional amendments, matters pertaining to any proposed constitutional convention, initiative measures and referendum measures proposed by the electorate, referendum bills, and any other matter provided by the legislature for submission to the electorate: PROVIDED FURTHER, That this section shall not be construed as fixing the time for holding primary elections, or elections for the recall of county, city, town, or district officers: PROVIDED HOWEVER, That the ((board of county commissioners)) county legislative authority may, if they deem an emergency to exist, call a special county election ((at any time)) by presenting a resolution to the county auditor at least forty-five days prior to the proposed election date. A

special election called by the county legislative authority shall be held on one of the following dates as decided by such governing body:

(1) The first Tuesday after the first Monday in February;

(2) The last Tuesday in March;

(3) The third Tuesday in September in even numbered years, or the second Tuesday in September in odd numbered years;

(4) The first Tuesday after the first Monday in November;

(5) On any one other single date in the year not falling within thirty days of a regular primary or general election; or

(6) In addition to all the above, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from fire, flood, earthquake or other act of God.

Such county special election shall be noticed and conducted in the manner provided by law. This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections.

Sec. 2. Section 29.13.020, chapter 9, Laws of 1965 as amended by section 3, chapter 123, Laws of 1965 and RCW 29.13.020 are each amended to read as follows:

All city, town, and district general elections, except as hereinafter provided, shall be held throughout the state of Washington on the first Tuesday following the first Monday in November in the odd-numbered years: PROVIDED, That there shall be no general city or town elections held under the provisions of the 1963 elections act as amended until 1967, and the positions that would have been voted upon in the year 1966, except for the provisions of the 1963 elections act as amended, shall be voted upon at the general election to be held on the first Tuesday following the first Monday in November in the year 1967 and each two years thereafter. All city and town elections to be held in 1964 under existing law shall be conducted as though the provisions of the 1963 elections act had not been enacted. All city and town officers elected in 1964 shall remain in office for their regular term and until their successors are elected and qualified under the provisions of the 1963 elections act.

There shall be no regular district elections held in the years 1964, 1966, 1968, and 1970, and the positions that would have been voted upon, except for the provisions of the 1963 elections act as amended, in the years 1964, 1966, 1968, and 1970 shall be voted upon at the general elections to be held on the first Tuesday following the first Monday in November in the years 1965, 1967, 1969, and 1971, respectively and each two years thereafter.

There shall be no regular school district elections held on the second Tuesday in March in the years 1965, 1967, and 1969 and the position[s] that would have been voted upon, except for the provisions of the 1963 elections act as amended, shall be voted upon at the general

elections to be held on the first Tuesday following the first Monday in November in the years 1965, 1967, and 1969 respectively and each two years thereafter.

The purpose of this section is to change the time of holding all general city, town, and district elections to a common election date, throughout the state of Washington being the first Tuesday following the first Monday in November of the odd-numbered years.

All incumbent city, town, or district officers whose terms would have expired, except for the provisions of the 1963 elections act as amended, shall remain in office until their successors are elected and qualified.

This section shall not apply to:

(1) Elections for the recall of city, town, or district officers,

(2) Public utility districts, or district elections whereat the ownership of property within said districts is a prerequisite to voting, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto.

The county auditor, as ex officio supervisor of elections, upon request in the form of a resolution of the governing body of a city, town or district, presented to him at least forty-five days prior to the proposed election date, may, if he deems an emergency to exist, call a special election (at any time) in such city, town, or district and for the purpose of such special election he may combine, unite or divide precincts. A special election called by such governing body shall be held on one of the following dates as decided by the governing body:

(1) The first Tuesday after the first Monday in February;

(2) The last Tuesday in March;

(3) The third Tuesday in September in even numbered years, or the second Tuesday in September in odd numbered years;

(4) The first Tuesday after the first Monday in November;

(5) On any one other single date in the year not falling within thirty days of a regular primary or general election; or

(6) In addition to all the above, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from fire, flood, earthquake or other act of God.

Such special election shall be conducted and notice thereof given in the manner provided by law. This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections.

Sec. 3. Section 29.13.070, chapter 9, Laws of 1965 as amended by section 6, chapter 103, Laws of 1965 ex. sess. and RCW 29.13.070 are each amended to read as follows:

Nominating primaries for general elections to be held in November shall be held at the regular polling places in each precinct on the third Tuesday of the preceding September in each even-numbered year and on the second

Tuesday of the preceding September in each odd-numbered year.

Sec. 4. Section 29.21.010, chapter 9, Laws of 1965 as amended by section 7, chapter 123, Laws of 1965 and RCW 29.21.010 are each amended to read as follows:

All ((primaries for all)) cities ((of the first, second and third class;)) and towns shall hold primary elections irrespective of type or form of government and which shall be nonpartisan and held as provided in RCW 29.13.070 as now or hereafter amended.

All districts, except those districts which require ownership of property within said districts as a prerequisite to voting, shall hold primary elections which shall be nonpartisan and held as provided in RCW 29.13.070 as now or hereafter amended.

All names of candidates to be voted upon at city, town, and such district primary elections shall be printed upon the official primary ballot alphabetically in groups under the designation of the respective titles of the offices for which they are candidates. The name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes for each position, shall appear in that order on the ((municipal)) city, town, or district general election ballot concerned under the designation for each respective office. In the event there are two or more offices to be filled for the same position, then names of candidates receiving the highest number of votes equal in number to twice the offices to be filled shall appear on the ((municipal)) city, town, or district general election ballot so that the voter shall have a choice of two candidates for each position: PROVIDED, That no name of any candidate shall appear on the city, town or district general election ballot unless said candidate shall receive at least ((ten)) five percent of the total votes cast for that office. The sequence of names of candidates printed on the ((municipal)) city, town, or district general election ballot shall be in relation to the number of votes each candidate received at the primary. Names of candidates printed upon the ((municipal)) city, town, or district primary and general election ballot need not be rotated.

The purpose of this section is to establish the holding of a primary election, subject to the exemptions as contained in RCW 29.21.015 as now or hereafter amended, as a uniform procedural requirement to the holding of city, town, and district elections and such provisions shall supersede any and all other statutes, whether general or special in nature, having different election requirements.

Sec. 5. Section 29.21.015, chapter 9, Laws of 1965 and RCW 29.21.015 are each amended to read as follows:

No primary election shall be held for any single position in any city, town, or district as required by RCW 29.21.010 as now or hereafter amended if, after the last day allowed for candidates to withdraw, there are no more than two candidates filed for ((each)) the position to be filled; PROVIDED, That whenever it shall be necessary to hold a primary election for any one such position because of the number of candidates remaining filed, no primary election shall be held for any other position for which no

more than two candidates have remained as filed. ((In such event)) Insofar as such positions not being subjected to a primary election are concerned, the ((city clerk)) county auditor shall ((immediately notify all candidates concerned and if the county auditor has jurisdiction of such primary election, he shall also be notified)) as soon as possible notify all the candidates so affected. Names of candidates that would have been printed upon the ((city)) primary ballot, but for the provisions of this section, shall be printed upon the ((city)) general election ballot alphabetically in groups under the designation of the respective titles of the offices for which they are candidates.

Sec. 6. Section 29.21.060, chapter 9, Laws of 1965 as last amended by section 56, chapter 283, Laws of 1969 ex. sess. and RCW 29.21.060 are each amended to read as follows:

All candidates for offices to be voted on at any election in first, second, and third class cities and fourth class municipalities (towns) shall file declarations of candidacy with the clerk thereof not earlier than the last Monday of July nor later than the next succeeding Friday in the year such regular city and town elections are held.

All candidates for district offices ((in port districts, which are located in class AA and class A counties, and first class school districts;)) subject to the provisions of RCW 29.21.010 as now or hereafter amended shall file their declarations of candidacy with the county auditor of the county not earlier than the last Monday of July nor later than the next succeeding Friday in the year such regular district elections are held.

((All candidates for district offices not subject to a primary election, other than irrigation districts, shall file declarations of candidacy not more than sixty nor less than forty-six days prior to the date of the election with the appropriate county auditor: PROVIDED, That)) In the case of public utility districts, and in no other, ((nominations shall be made by means of)) nominating petitions containing the necessary number of signatures as provided by RCW 54.12.010 shall accompany each such declaration of candidacy at the time of so filing: PROVIDED ((FURTHER)), That this chapter shall not change the method of nomination for first district officers at the formation of ((the)) any district.

Any candidate for city, town, or district offices may withdraw his declaration at any time to and including the first Wednesday after the last day allowed for filing declarations of candidacy.

The city and town clerks in all counties shall transmit to their county auditors at least thirty-five days before the date fixed for the primary, a certified list of the names and addresses of the candidates to be voted on thereat as represented by the declarations of candidacy filed in their offices.

All candidates required to file declarations of candidacy shall pay the same fees and be governed by the same rules as contained in RCW 29.18.030 ((7 29-18-035, and 29-18-060)) through 29.18.100: PROVIDED, That no filing

fee shall be charged in the event that the office sought is without a fixed annual salary.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for filing declarations of candidacy for such city, town, and district elections, the purpose of this section being to establish a uniform five day period throughout the state of Washington for filing declarations of candidacy.

Sec. 7. Section 29.21.140, chapter 9, Laws of 1965 and RCW 29.21.140 are each amended to read as follows:

If at the same election there are ((long terms and)) short terms or full terms and unexpired terms of office to be filled, the city or town clerk, the secretary of state or the county auditor, as the case may be, shall distinguish them and designate the short term, ((the long term)) the full term and the unexpired term ((separately as such)) or by use of the words "unexpired two year term" or "four year term" as the case may be.

In filing his declaration of candidacy in such cases the candidate shall specify that his candidacy is for the short term, ((the long term)) the full term or the unexpired term as the case may be: PROVIDED, That when both a short term and a full term for the same position is scheduled to be voted upon, a single declaration of candidacy accompanied by a single filing fee shall be construed as a filing for both the short term and the full term and the name of such candidate shall appear upon the ballot for the position sought with the designation "short term and long term". The candidate elected to both such terms shall be sworn into and assume office for the short term as soon as the election returns have been certified and shall again be sworn into office on the second Monday in January following the election to assume office for the full term.

Sec. 8. Section 1, chapter 10, Laws of 1970 ex. sess. and RCW 29.21.150 are each amended to read as follows:

The name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes at the primary for a single nonpartisan position shall appear on the general election ballot under the designation therefor: PROVIDED, That in elections for ((justices of the supreme court; judges of the court of appeals and)) judges of the superior court, ((for justices of the peace, and for state superintendent of public instruction; and for directors of first class school districts;)) if any candidate in the primary receives a majority of all the votes cast for the position, only the name of the person receiving the highest vote shall be printed on the general election ballot under the designation for that position, followed by a space for the writing in of any other name by a voter((: PROVIDED FURTHER, That the provisions of Article IV, Section 29 of the Washington Constitution shall apply to offices of judges of the court of appeals)).

Sec. 9. Section 29.21.160, chapter 9, Laws of 1965 and RCW 29.21.160 are each amended to read as follows:

If there are two or more places to be filled for nonpartisan office, the number of candidates equalling the



number of positions to be filled who receive the highest number of votes at the primary and an equal number who receive the next highest number of votes shall appear under the designation for that office((: PROVIDED; That the names of any candidates therefor who receive a majority of all of the votes cast at the primary for that office; shall be printed separately as candidates for that office under the designation "Vote for : : : : : " followed by blank spaces equaling the number of such majority candidates for the writing in of any other name by a voter)).

Sec. 10. Section 29.21.230, chapter 9, Laws of 1965 as last amended by section 9, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.230 are each amended to read as follows:

Except for school districts of the first class having an enrollment of fifty thousand pupils or more in class AA counties, the name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes at the primary for a school district position of school director for school districts embracing a city of over one hundred thousand population shall appear on the general election ballot under the designations therefor((: PROVIDED; That if any candidate for a position receives a majority vote; his name alone shall be placed on the general election ballot for that position)).

Sec. 11. Section 35.20.150, chapter 7, Laws of 1965 and RCW 35.20.150 are each amended to read as follows:

The municipal judges shall be elected on the first Tuesday after the first Monday in November, 1958, and on the first Tuesday after the first Monday of November every fourth year thereafter by the electorate of the city in which the court is located. The auditor of the county concerned shall designate by number each position to be filled in the municipal court, and each candidate at the time of the filing of his declaration of candidacy shall designate by number so assigned the position for which he is a candidate, and the name of such candidate shall appear on the ballot only for such position. The name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes at the primary for a single nonpartisan position shall appear on the general election ballot under the designation therefor((: PROVIDED; That if any candidate in the primary receives a majority of all of the votes cast for the position; only the name of the person receiving the highest vote shall be printed on the general election ballot under the designation for that position; followed by a space for the writing in of any other name by a voter)). Elections for municipal judge shall be nonpartisan. They shall hold office for a term of four years and until their successors are elected and qualified. The term of office shall start on the second Monday in January following such election. Any vacancy in the municipal court due to a death, disability or resignation of a municipal court judge shall be filled by the mayor, to serve out the unexpired term. Such appointment shall be subject to confirmation by the legislative body of the city.

Sec. 12. Section 14, chapter 299, Laws of 1961 and RCW 3.34.050 are each amended to read as follows:

At the general election in November, 1962 and quadrennially thereafter, there shall be elected by the voters of each justice court district the number of justices of the peace authorized for such district by the justice court districting plan. Justices of the peace shall be elected for each district by the qualified electors of the justice court district in the same manner as judges of courts of record are elected. Not less than ten days before the time for filing declarations of candidacy for the election of justices of the peace for justice court districts entitled to more than one justice of the peace, the county auditor shall designate each such office of justice of the peace to be filled by a number, commencing with the number one and numbering the remaining offices consecutively. Each candidate at the time of the filing of his declaration of candidacy shall designate by number which one, and only one, of the numbered offices for which he is a candidate and the name of such candidate shall appear on the ballot for only the numbered office for which the candidate filed his declaration of candidacy.

((In all elections for justices of the peace, if any candidate in the primary receives a majority of all of the votes cast for the position; only the name of the person receiving the highest vote shall be printed on the general election ballot under the designation for that position; followed by a space for the writing in of any other name by a voter.))

Sec. 13. Section 2, chapter 61, Laws of 1972 ex. sess. and RCW 29.21.360 are each amended to read as follows:

Filings for a nonpartisan office shall be opened for a period of three normal business days, such three day period to be fixed by the election officer with whom such declarations of candidacy are filed and notice thereof given by notifying press, radio, and television in the county and by such other means as may now or hereafter be provided by law whenever before the fourth Tuesday prior to a primary:

- (1) A void in candidacy occurs;
- (2) A vacancy occurs in any nonpartisan office leaving an unexpired term to be filled by an election for which filings have not been held; or
- (3) A nominee for judge ((of the court of appeals or)) of the superior court entitled to a certificate of election pursuant to Article 4, section 29, Amendment 41 of the state Constitution, dies or is disqualified.

Candidacies validly filed within said three-day period shall appear on the ballot as if made during the earlier filing period.

Sec. 14. Section 3, chapter 61, Laws of 1972 ex. sess. and RCW 29.21.370 are each amended to read as follows:

Filings for a nonpartisan office (other than judge of the supreme court or superintendent of public instruction) shall be reopened for a period of three normal business days, such three day period to be fixed by the election officer with whom such declarations of candidacy are filed and notice thereof given by notifying press, radio, and

television in the county and by such other means as may now or hereafter be provided by law, when:

(1) A void in candidacy for such nonpartisan office occurs on or after the fourth Tuesday prior to a primary but prior to the fourth Tuesday before an election; or

(2) A nominee for judge (~~of the court of appeals or~~) of the superior court eligible after a contested primary for a certificate of election by Article 4, section 29, Amendment 41 of the state Constitution, dies or is disqualified within the ten day period when a petition for write-in candidacy may be received;

(3) A vacancy occurs in any nonpartisan office on or after the fourth Tuesday prior to a primary but prior to the fourth Tuesday before an election leaving an unexpired term to be filled by an election for which filings have not been held.

The candidate receiving a plurality of the votes cast for that office in the general election shall be deemed elected.

Sec. 15. Section 4, chapter 51, Laws of 1972 ex. sess. and RCW 29.21.380 are each amended to read as follows:

A scheduled election shall be lapsed, the office deemed stricken from the ballot, no purported write-in votes counted, and no candidate certified as elected, when:

(1) In an election for judge of the supreme court or superintendent of public instruction, a void in candidacy occurs on or after the fourth Tuesday prior to a primary, public filings and the primary being an indispensable phase of the election process for such offices;

(2) Except as otherwise specified in RCW 29.21.370 as now or hereafter amended, a nominee for judge (~~of the court of appeals or~~) of the superior court entitled to a certificate of election pursuant to Article 4, section 29, Amendment 41 of the state Constitution dies or is disqualified on or after the fourth Tuesday prior to a primary;

(3) In other elections for nonpartisan office a void in candidacy occurs or a vacancy occurs involving an unexpired term to be filled on or after the fourth Tuesday prior to an election.

NEW SECTION. Sec. 16. There is added to chapter 29.21 RCW a new section to read as follows:

If, after the last day provided by law for the withdrawal of declarations of candidacy has expired, only one candidate has filed for any single city, town, or district position to be filled, no election shall be held as to such position and a certificate of election shall be issued to such candidate at such time such certificates are normally issued.

If after both the normal filing period and special three day filing period as provided by RCW 29.21.360 and 29.21.370 as now or hereafter amended have passed and still no candidate has filed for any single city, town, or district position to be filled, the election for such position shall be deemed lapsed, the office deemed stricken from the ballot and no write-in votes counted. In such instance, the incumbent occupying such position shall remain in office and continue to serve until his successor is elected at the next election when such positions are

voted upon as provided by RCW 29.21.410 as now or hereafter amended.

NEW SECTION. Sec. 17. There is added to chapter 29.01 RCW a new section to read as follows:

"Short term" means the brief period of time starting upon the completion of the certification of election returns and ending with the start of the full term on the second Tuesday of the next January immediately following the election and is applicable only when the office concerned is being held by an appointee to fill a vacancy which occurred after the last previous election at which such office could have been voted upon for an unexpired term.

NEW SECTION. Sec. 18. Section 29.21.170, chapter 9, Laws of 1965 and RCW 29.21.170 are each hereby repealed.

NEW SECTION. Sec. 19. If any provision of this 1974 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

On line 3 of the title after "29.13.010;" and before "amending" strike "and"

On line 5 of the title after "RCW 29.13.020" and before the period insert "amending section 29.13.070, chapter 9, Laws of 1965 as amended by section 6, chapter 103, Laws of 1965 ex. sess. and RCW 29.13.070; amending section 29.21.010, chapter 9, Laws of 1965 as amended by section 7, chapter 123, Laws of 1965 and RCW 29.21.010; amending section 29.21.015, chapter 9, Laws of 1965 and RCW 29.21.015; amending section 29.21.060, chapter 9, Laws of 1965 as last amended by section 56, chapter 283, Laws of 1969 ex. sess. and RCW 29.21.060; amending section 29.21.140, chapter 9, Laws of 1965 and RCW 29.21.140; amending section 1, chapter 10, Laws of 1970 ex. sess. and RCW 29.21.150; amending section 29.21.160, chapter 9, Laws of 1965 and RCW 29.21.160; amending section 29.21.230, chapter 9, Laws of 1965 as last amended by section 9, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.230; amending section 35.20.150, chapter 7, Laws of 1965 and RCW 35.20.150; amending section 14, chapter 299, Laws of 1961 and RCW 3.34.050; amending section 2, chapter 61, Laws of 1972 ex. sess. and RCW 29.21.360; amending section 3, chapter 61, Laws of 1972 ex. sess. and RCW 29.21.370; amending section 4, chapter 61, Laws of 1972 ex. sess. and RCW 29.21.380; adding a new section to chapter 29.21 RCW; adding a new section to chapter 29.01 RCW; and repealing section 29.21.170, chapter 9, Laws of 1965 and RCW 29.21.170"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Brown, Conner, Eng, Erickson, Knowles, Maxie.

February 7, 1974

ENGROSSED SUBSTITUTE SENATE BILL NO. 3118, Prime sponsor: Senator Bottiger, assessing penalties on drunk driving cases, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; Barnes, Bender, Ceccarelli, Clemente, Gaines, Gilleland, Hansen, Leckenby, Lysen, Nelson, Patterson, Schumaker.

February 6, 1974

SENATE BILL NO. 3272, Prime sponsor: Senator Rasmussen, providing for common school bonds, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bluechel, Ehlers, Gaines, Hendricks, Hurley, Lysen, Moon.

February 7, 1974

ENGROSSED SENATE BILL NO. 3338, Prime sponsor: Senator Walgren, permitting the designation of exclusive bus and car pool lanes, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: Do pass. Signed by Representatives Perry, Chairman; Beck, Subcommittee Chairman; Charnley, Subcommittee Chairman; Bender, Ceccarelli, Clemente, Gaines, Gilleland, Hansen, Leckenby, Lysen, Nelson, Patterson, Schumaker.

February 6, 1974

ENGROSSED SENATE BILL NO. 3354, Prime sponsor: Senator Rasmussen, implementing laws relating to financing by the state, its agencies, institutions, political subdivisions and municipal and quasi municipal corporations, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bluechel, Ehlers, Gaines, Hendricks, Hurley, Lysen, Moon.

February 6, 1974

SUBSTITUTE SENATE BILL NO. 3355, Prime sponsor: Senator Rasmussen, implementing the law relating to community college bonding provisions, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bluechel, Ehlers, Gaines, Hendricks, Hurley, Lysen, Moon.

February 6, 1974

SENATE BILL NO. 3362, Prime sponsor: Senator Rasmussen, providing for the refunding of certain state capitol committee bonds by issuance of refunding bonds, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bluechel, Ehlers, Gaines, Hendricks, Hurley, Lysen, Moon.

## MOTION

On motion of Mr. Charette, all bills listed on the supplemental report of standing committees were passed to the Committee on Rules for second reading.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

	HOUSE BILL NO. 385,
SUBSTITUTE	HOUSE BILL NO. 671,
SUBSTITUTE	HOUSE BILL NO. 757,
	HOUSE BILL NO. 916,
SUBSTITUTE	HOUSE BILL NO. 967,
	HOUSE BILL NO. 1173,
	HOUSE BILL NO. 1180,
	HOUSE BILL NO. 1226,
	HOUSE BILL NO. 1294,
	HOUSE BILL NO. 1303,
	HOUSE BILL NO. 1354,
	HOUSE BILL NO. 1355,
	HOUSE BILL NO. 1356,
	HOUSE BILL NO. 1357,
	HOUSE BILL NO. 1358,
	HOUSE BILL NO. 1360,
	HOUSE BILL NO. 1361,
	HOUSE BILL NO. 1508,
	SENATE BILL NO. 2329,
THIRD SUBSTITUTE	SENATE BILL NO. 2843,
	SENATE BILL NO. 2969,
	SENATE BILL NO. 3040,
	SENATE BILL NO. 3050,
	SENATE BILL NO. 3077,
	SENATE BILL NO. 3168,
	SENATE BILL NO. 3229,
	SENATE BILL NO. 3351.

## MOTIONS

On motion of Mr. Charette, SENATE BILL NO. 3284 and SENATE BILL NO. 3285 were rereferred to the Committee on Rules.

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Friday, February 8, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## TWENTY-SIXTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Friday, February 8, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Sister Jerome Mary, administrator of St. Joseph's Hospital in Aberdeen.

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

## SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House Miss Linda Brockel, 1974 Wheat Queen and asked Representatives Amen, Patterson and Haussler to escort her to a place on the rostrum.

Miss Brockel addressed the House, and the Speaker (Mr. O'Brien presiding) requested the escort committee to escort her from the House Chamber.

## MESSAGE FROM THE SENATE

February 7, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 437,  
SUBSTITUTE HOUSE BILL NO. 541,  
ENGROSSED HOUSE BILL NO. 556,  
ENGROSSED HOUSE BILL NO. 767,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

## REPORTS OF STANDING COMMITTEES

February 6, 1974

ENGROSSED SENATE BILL NO. 3202, Prime sponsor: Senator Marsh, establishing the college work-study program for needy students in post-secondary institutions and public vocational technical school, reported by Committee on Higher Education.

MAJORITY recommendation: Do pass. Signed by Representatives Maxie, Chairwoman; Goltz, Vice Chairman; Charnley, Erickson, Freeman, Knowles, Patterson, Valle.

To Committee on Ways and Means - Appropriations.

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

The Speaker (Mr. Charette presiding) called the House to order.

MOTION

On motion of Mr. Thompson, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The House was called to order at 2:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

MOTION

On motion of Mr. Thompson, the House advanced to the fifth order of business.

REPORTS OF STANDING COMMITTEES

February 5, 1974  
HOUSE BILL NO. 1185, Prime sponsor: Representative Sommers, making revisions to the timber taxation laws, reported by Committee on Ways and Means.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Subcommittee Chairman; Randall, Subcommittee Chairman; Bausch, Blair, Charette, Ehlers, Erickson, Gaspard, Goltz, Hurley, Kilbury, King, Luders, Moon, North (Frances), Sawyer, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Eikenberry, Kuehnle, Pardini.

February 6, 1974  
HOUSE BILL NO. 1316, Prime sponsor: Representative Newhouse, prohibiting the sale and limiting the lease of university tract properties, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Randall, Chairman; Sommers, Vice



Chairwoman; Bagnariol, Benitz, Erickson, Goltz, Hurley, Kilbury, King, Moon.

February 6, 1974

HOUSE BILL NO. 1334, Prime sponsor: Representative Randall, authorizing additional grounds for property tax refund, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Benitz, Erickson, Goltz, Hurley, Kilbury, King, Kuehne, Moon.

February 8, 1974

HOUSE BILL NO. 1419, Prime sponsor: Representative Thompson, relating to elected officials salaries, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 110, chapter 137, Laws of 1973 1st ex. sess. (uncodified) as amended by section 1, Initiative Measure No. 282 adopted by the electorate on November 6, 1973 is amended to read as follows:

GENERAL FUND APPROPRIATION TO THE GOVERNOR:

To be allocated by the governor in order to implement salary increases to enable the payment of salaries to the below described elective executive, judicial, and legislative officials according to the schedule of annual salaries prescribed in this section commencing ((January 1, 1974)): PROVIDED, That such increases for legislators shall not take effect until the first date permitted by the Constitution of this state.....\$ 1,359,059

Schedule of Annual Salaries

Executive Officials

Governor.....	\$((347300))	<u>32,500</u>
Lieutenant Governor.....	\$((107600))	<u>10,000</u>
Attorney General.....	\$((247300))	<u>23,000</u>
Superintendent of Public Instruction.....	\$((237750))	<u>22,500</u>
Commissioner of Public Lands.....	\$((217400))	<u>20,000</u>
Auditor.....	\$((177400))	<u>16,500</u>
Insurance Commissioner.....	\$((177400))	<u>16,500</u>
Secretary of State.....	\$((157800))	<u>15,000</u>
Treasurer.....	\$((157800))	<u>15,000</u>

Judicial Officials

Supreme Court.....	\$((347825))	<u>33,000</u>
Court of Appeals.....	\$((317650))	<u>30,000</u>
Superior Court.....	\$((287500))	<u>27,000</u>

Full Time District

Court Judges: PROVIDED,  
That no funds shall be

allocated from this  
 appropriation to implement  
 these salary increases.....\$((23,250)) 22,000  
   Legislative Officials

Legislators.....\$((37,800)) 3,600

Sec. 2. Section 43.03.010, chapter 8, Laws of 1965 as last amended by section 2, Initiative Measure No. 282 adopted by the electorate on November 6, 1973 and RCW 43.03.010 are each amended to read as follows:

The annual salaries of the following named state elected officials shall be: Governor, ((thirty-four)) thirty-two thousand ((three)) five hundred dollars; lieutenant governor, ten thousand ((six hundred)) dollars; secretary of state, fifteen thousand ((eight hundred)) dollars; state treasurer, fifteen thousand ((eight hundred)) dollars; state auditor, ((seventeen)) sixteen thousand ((four)) five hundred dollars; attorney general, ((twenty-four)) twenty-three thousand ((three hundred)) dollars; superintendent of public instruction, twenty-((three)) two thousand ((seven)) five hundred ((fifty)) dollars; commissioner of public lands, ((twenty-one)) twenty thousand ((one hundred)) dollars; state insurance commissioner, ((seventeen)) sixteen thousand ((four)) five hundred dollars; members of the legislature shall receive for their service three thousand ((eight)) six hundred dollars per annum; and in addition, ten cents per mile for travel to and from legislative sessions.

Sec. 3. Section 1, chapter 144, Laws of 1953 as last amended by section 3, Initiative Measure No. 282 adopted by the electorate on November 6, 1973 and RCW 2.04.090 are each amended to read as follows:

Each justice of the supreme court shall receive an annual salary of ((thirty-four)) thirty-three thousand ((eight hundred twenty-five)) dollars, but no salary warrant shall be issued to any judge of the supreme court until he shall have made and filed with the state treasurer an affidavit that no matter referred to him for opinion or decision has been uncompleted or undecided by him for more than six months.

Sec. 4. Section 6, chapter 221, Laws of 1969 ex. sess. as last amended by section 4, Initiative Measure No. 282 adopted by the electorate on November 6, 1973 and RCW 2.06.060 are each amended to read as follows:

Each judge of the court shall receive an annual salary of ((thirty-one)) thirty thousand ((six hundred fifty)) dollars, but no salary warrant shall be issued to any judge until he shall have made and filed with the state treasurer an affidavit that no matter referred to him for opinion or decision has been uncompleted by him for more than three months.

Sec. 5. Section 2, chapter 144, Laws of 1953 as last amended by section 5, Initiative Measure No. 282 adopted by the electorate on November 6, 1973 and RCW 2.08.090 are each amended to read as follows:

Each judge of the superior court shall receive an annual salary of ((twenty-eight)) twenty-seven thousand ((five hundred)) dollars.

Sec. 6. Section 100, chapter 299, Laws of 1961 as last amended by section 6, Initiative Measure No. 282 adopted by

the electorate on November 6, 1973 and RCW 3.58.010 are each amended to read as follows:

The annual salary of each full time justice of the peace shall be ~~((twenty-three))~~ twenty-two thousand ~~((two hundred and fifty))~~ dollars: PROVIDED, That in cities having a population in excess of five hundred thousand, the city which pays the salary may increase such salary of its municipal judges to an amount not more than the salary paid the superior court judges in the county in which the court is located: PROVIDED FURTHER, That no full time justice of the peace shall perform any civil marriage between 8:00 a.m. and 5:00 p.m. Monday through Friday.

NEW SECTION. Sec. 7. If any provision of this amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 8. This amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

In line 1 of the title after "salaries" and before the period insert "; amending section 110, chapter 137, Laws of 1973 1st ex. sess. (uncodified) as amended by section 1, Initiative Measure No. 282 adopted by the electorate on November 6, 1973; amending section 43.03.010, chapter 8, Laws of 1965 as last amended by section 2, Initiative Measure No. 282 adopted by the electorate on November 6, 1973 and RCW 43.03.010; amending section 1, chapter 144, Laws of 1953 as last amended by section 3, Initiative Measure No. 282 adopted by the electorate on November 6, 1973 and RCW 2.04.090; amending section 6, chapter 221, Laws of 1969 ex. sess. as last amended by section 4, Initiative Measure No. 282 adopted by the electorate on November 6, 1973 and RCW 2.06.060; amending section 2, chapter 144, Laws of 1953 as last amended by section 5, Initiative Measure No. 282 adopted by the electorate on November 6, 1973 and RCW 2.08.090; amending section 100, chapter 299, Laws of 1961 as last amended by section 6, Initiative Measure No. 282 adopted by the electorate on November 6, 1973 and RCW 3.58.010; and declaring an emergency"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Conner, Eng, Erickson, Knowles, Maxie.

February 8, 1974

SECOND REENGROSSED SENATE BILL NO. 2366, Prime sponsor: Senator Grant, relating to legislative redistricting, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Conner, Eng, Knowles, Maxie.

February 7, 1974

ENGROSSED SENATE BILL NO. 3135, Prime sponsor: Senator Durkan, providing for an alternate method of valuing real property, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Subcommittee Chairman; Randall, Subcommittee Chairman; Amen, Bausch, Benitz, Charette, Curtis, Ehlers, Eikenberry, Erickson, Gaspard, Goltz, Hoggins, Hurley, Juelling, Kilbury, King, Kopet, Kuehnle, Luders, Moon, North (Frances), Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams.

February 7, 1974

SENATE BILL NO. 3304, Prime sponsor: Senator Donohue, authorizing off-laboratory building at Washington State University Tree Farm Research Center and providing the financing thereof through issuance of bonds, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Subcommittee Chairman; Randall, Subcommittee Chairman; Amen, Bausch, Benitz, Charette, Curtis, Ehlers, Eikenberry, Erickson, Flanagan, Gaspard, Goltz, Hansey, Hoggins, Hurley, Juelling, Julin, Kilbury, King, Kopet, Kuehnle, Luders, Moon, Morrison, North (Frances), Pardini, Polk, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Zimmerman.

February 7, 1974

SUBSTITUTE SENATE BILL NO. 3378, Prime sponsor: Senator Donohue, making certain appropriations and reappropriations, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Subcommittee Chairman; Randall, Subcommittee Chairman; Amen, Bausch, Benitz, Charette, Curtis, Ehlers, Eikenberry, Erickson, Gaspard, Goltz, Hansey, Hoggins, Hurley, Juelling, Julin, Kilbury, King, Kopet, Kuehnle, North (Frances), Pardini, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Zimmerman.

February 8, 1974

ENGROSSED SENATE JOINT RESOLUTION NO. 140, Prime sponsor: Senator Grant, amending the constitutional veto power of the governor, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendment:

On page 1 of the resolution, beginning with "Article" in line 8 strike the remainder of the resolution and insert as follows:

"Article III, section 12. Every act which shall have passed the legislature shall be, before it becomes a law,

presented to the governor. ((If he approves, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law; but in all such cases the vote of both houses shall be determined by the yeas and nays, and the names of the members voting for or against the bill shall be entered upon the journal of each house respectively. If any bill shall not be returned by the governor within five days, Sundays excepted, after it shall be presented to him, it shall become a law without his signature, unless the general adjournment shall prevent its return, in which case it shall become a law unless the governor, within ten days next after the adjournment, Sundays excepted, shall file such bill with his objections thereto, in the office of secretary of state, who shall lay the same before the legislature at its next session in like manner as if it had been returned by the governor. If any bill presented to the governor contain several sections or items, he may object to one or more sections or items while approving other portions of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the section, or sections, item or items to which he objects and the reasons therefor, and the section or sections, item or items so objected to, shall not take effect unless passed over the governor's objection, as hereinbefore provided.))  
Upon review of such act, the governor may: (1) approve the act in its entirety, in which case the governor shall sign it; or (2) disapprove the act in its entirety; or (3) disapprove a portion or portions of the act, but no portion may be disapproved hereunder the deletion of which would alter the meaning of the remainder of the act not disapproved; or (4) disapprove a monetary item or monetary items.

If any act, or portion or portions or item or items thereof, is disapproved under this section, the governor shall return said act, along with a statement of the reason or reasons for any such disapproval or disapprovals, to that house in which the act shall have originated. If any act, together with such statement, shall not be returned by the governor within ten days, Sundays excepted, after it shall have first been presented to the governor, it shall become law without the governor's signature. If the legislature shall adjourn sine die before expiration of said ten day period, and if any act shall not, along with a statement as required by this section, be filed by the governor in the office of the secretary of state within twenty days, Sundays excepted, after it shall have first been presented to the governor, it shall become law without the governor's signature; and if any such act and statement is so filed, it shall be returned by the secretary of state to the legislature at its next session in like manner as if it had been returned by the governor. Upon petition by a majority or more of the membership of each house, within

forty-five days, Sundays excepted, after adjournment sine die, the governor shall reconvene the legislature in extraordinary session, not to exceed six days duration, Sundays excluded, for the sole purpose of reconsidering any act or acts returned or filed after, or within six days before, said adjournment; and the governor may concurrently reconvene the legislature for such further purposes and times as are proper under Article III, Section VII, of this Constitution.

The house to which any act and statement is returned as provided in this section shall enter the governor's statement at large upon its journal, and shall proceed to reconsider. If, after such reconsideration, the members present shall agree to pass the bill over any disapproval or disapprovals of the governor, it shall be sent, together with the governor's statement, to the other house, by which it shall likewise be reconsidered, and if approved by that house, it shall be law. To override any disapproval or disapprovals by the governor of a monetary item or items or of an entire act under this section, other than an act or item or items directly relating to the internal functions of the legislature, it shall be necessary that the act, item or items be approved in each house respectively by vote of two-thirds of the members present. In all other cases, any disapproval or disapprovals by the governor may be overridden in each house respectively by vote of a majority of the members. In all cases, the vote of each house shall be determined by the yeas and nays, and the names of the members voting for or against the bill, or portion or portions, or item or items, shall be entered upon the journals of each house respectively.

The provisions of Article II, section 12 of the Constitution of the state of Washington are hereby superseded insofar as they are inconsistent with the provisions of this section.

AND BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of the foregoing constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state."

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Conner, Erickson, Knowles, Maxie.

#### MOTION

On motion of Mr. Thompson, all bills listed on the supplemental report of standing committees were passed to the Committee on Rules for second reading.

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

The Speaker called the House to order.

## SENATE AMENDMENTS TO HOUSE BILL

February 5, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 289 with the following amendments:

On line 3 of the title after "new" strike "section" and insert "sections"

On page 4, add a new section following section 3 to read as follows:

"NEW SECTION. Sec. 4. There is added to chapter 47.42 RCW a new section to read as follows:

The Washington state highway commission is authorized to erect and maintain specific information panels within the right of way of those portions both of the primary system and the scenic system lying outside of cities and towns and lying outside of commercial and industrial areas to give the traveling public specific information as to gas, food, recreation, or lodging available off the primary or scenic highway accessible by way of highways intersecting the primary or scenic highway. Specific information panels shall include the words 'GAS', 'FOOD', 'RECREATION', or 'LODGING' and directional information and may contain one or more individual business signs maintained on the panel. The erection and maintenance of specific information panels along primary or scenic highways shall conform to the national standards promulgated by the secretary of transportation pursuant to sections 131 and 315 of Title 23 United States Code and regulations adopted by the commission including the manual on uniform traffic control devices for streets and highways. A motorist service business shall not be permitted to display its name, brand, or trademark on a specific information panel unless its owner has first entered into an agreement with the commission limiting the height of its on-premise signs at the site of its service installation to not more than fifteen feet higher than the roof of its main building. The commission shall charge reasonable fees for the display of individual business signs to defray the costs of their installation and maintenance."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Clemente, the House concurred in the Senate amendments to Engrossed House Bill No. 289.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 289 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 289 as amended by the Senate, and

the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 289 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

February 8, 1974

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2235,  
SENATE BILL NO. 2408,  
SENATE BILL NO. 2584,  
SENATE BILL NO. 2989,  
SENATE BILL NO. 3023,  
SENATE BILL NO. 3059,  
SENATE BILL NO. 3080,  
SENATE BILL NO. 3122,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### SENATE AMENDMENTS TO HOUSE BILL

February 4, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1420 with the following amendments:

On line 4 of the title after "RCW 28A.48.010" and before the period insert "; and creating a new section"

On page 3, following section 1, add a new section to read as follows:

"NEW SECTION. Sec. 2. Notwithstanding any other law to the contrary, the minimum guarantee of state and local funds to school districts for the 1974-75 school year shall be lesser of the following amounts: Ninety-five percent of the average amount per enrolled student, excluding special levies, which a district realized from state and local funds during the preceding three school years; or, the total amount of money received from state and local funds,



excluding special levies and the July, 1973, distribution of state collected 2-mill revenue to schools, during the 1973-74 school year."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Clemente, the House concurred in the Senate amendments to Engrossed House Bill No. 1420.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 1420 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1420 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, King, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Benitz, Julin, North L., Pardini, Valle.

Engrossed House Bill No. 1420 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

February 5, 1974

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1282 with the following amendments:

On line 9 of the title after "70.82.040;" insert "adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.65 RCW;"

On page 5, following section 5, add a new section as follows:

"NEW SECTION. Sec. 6. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.65 RCW a new section to read as follows:

Notwithstanding any other provision of law or this chapter, chapter 28A.65 RCW, any school district may submit a request to the state superintendent of public instruction for authority to stipulate that the preliminary budget of such district shall become in fact the final budget thereof, such procedure being subject to rules and regulations as promulgated by the state superintendent of public instruction in accordance with chapter 34.04 RCW, the administrative procedure act."

Remember the remaining sections consecutively.  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Bauer, the House concurred in the Senate amendments to House Bill No. 1282.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of House Bill No. 1282 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1282 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 4; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Kuehnle, Pullen, Schumaker.

House Bill No. 1282 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 6, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 931 with the following amendments:

On page 1, line 14, section 1 after "RCW" and before the period insert "or self-insurers as provided for in chapter 48.52 RCW"

On page 1, line 21 section 1 after "self-insurance" and before the colon insert "as provided for in chapter 48.52 RCW"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Ceccarelli, the House concurred in the Senate amendments to Engrossed House Bill No. 931.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 931 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 931 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 5; not voting, 0.

Yoting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Yoting nay: Representatives Ehlers, Erickson, Flanagan, Goltz, Kuehnle.

Engrossed House Bill No. 931 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

February 6, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1044 with the following amendment:

On page 2, section 1, line 2 after "person" strike all the matter down to and including the period on line 5 and insert "who, beginning with seeds, cuttings, bulbs, corms, or any form of immature plants, grows such plants in the course of their development into either a marketable partially grown product or a marketable consumer product" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Randall, the House concurred in the Senate amendment to Engrossed House Bill No. 1044.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 1044 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1044 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; nays, 1; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Moon.

Engrossed House Bill No. 1044 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENT TO HOUSE BILL

February 6, 1974

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1063 with the following amendment:

On page 2, section 2, line 32 after "council" insert "except elected public officials serving on a full-time salaried basis"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Douthwaite, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 1063.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1063 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1063 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 3; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Hansey, Kuehne, Schumaker.

Not voting: Representatives Bender, Julin.

Engrossed Substitute House Bill No. 1063 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 6, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1144 with the following amendments:

On page 1, line 15, section 1 after "birth" strike the period and insert ", but need not include benefits for routine well-baby care."

On page 1, line 18, section 2 after "contract" and before "blanket" strike "or" and insert "except"

On page 1, line 20, section 2 after "services," and before "delivered" insert "renewed,"

On page 1, line 27, section 2 after "birth" strike the period and insert ", but need not include benefits for routine well-baby care."

On page 2, section 3, line 11 after "birth" strike the period and insert ", but need not include benefits for routine well-baby care."

On page 2, line 11 after section 3 insert the following:

"NEW SECTION. Sec. 4. There is added to chapter 48.52 RCW a new section to read as follows:

Any self-insurer providing coverage or health care benefits or services for dependent children shall include coverage or health care service benefits or services for congenital anomalies of newborn children from the moment of birth."

Remember the remaining section consecutively.  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Ceccarelli, the House concurred in the Senate amendments to Engrossed House Bill No. 1144.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 1144 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1144 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis,

Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Kuehnle, Pullen.

Not voting: Representative Brown.

Engrossed House Bill No. 1144 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

February 6, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1171 with the following amendments:

On page 1, section 3, line 17 beginning with "nonsectarian" strike all of the material down to and including "nonprofit" on line 18

On page 1, section 3, line 22 after "proposal" and before the period insert ": PROVIDED FURTHER, That no public or private agency may receive funds under this section if they are prohibited from receiving or using public money by the operation of other law"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Bauer, the House concurred in the Senate amendments to Engrossed House Bill No. 1171.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 1171 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1171 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 6; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charney, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews,

Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Douthwaite, Jueling, Kuehnle, Schumaker.

Engrossed House Bill No. 1171 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

February 6, 1974

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1255 with the following amendment:

On page 1, line 15, section 1 after "thousand" and before the colon, insert ". The axle weight tolerance allowed to a garbage truck herein shall not be construed to authorize a vehicle gross weight in excess of the weight for which the vehicle is licensed pursuant to chapter 46.16 RCW"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Gallagher, the House concurred in the Senate amendment to House Bill No. 1255.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of House Bill No. 1255 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1255 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 3; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini,



Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Ehlers, Williams.

House Bill No. 1255 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

February 7, 1974

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 10 with the following amendments:

On page 2, line 10, section 1 after "purchased" and before "primarily" insert "or leased" and on line 11 after "use" and before "for" strike "and not" and insert "or" and on line 14 after "sellers" and before "or" insert "or lessors"

On page 3, line 10, section 2 after "purchased" and before "primarily" insert "or leased" and on line 14 after "sales" and before "of" insert "or leases"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Ehlers moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 10.

#### POINT OF PERSONAL PRIVILEGE

Mr. Newhouse: "I would like to request of the prime sponsors that when they discuss the amendments, they would also discuss the intent of the bill so that the people on the floor of the House are better informed as to which bill we are running through here so rapidly."

Mr. Ehlers spoke in favor of the motion to concur in the Senate amendments.

#### POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Ehlers, I really don't get the significance of adding leases. Is that to involve the lease-purchase agreement, or what is the purpose?"

Mr. Ehlers: "My understanding, Mr. Newhouse, is that one of the problems appears to be in the area of small businesses, for example, leasing a juke box from the company that leases these items, that they should have warranty protection. Apparently the feeling in the Senate

Judiciary Committee was that this warranty protection should be extended in these kinds of leasing agreements as they are with the individual consumer."

Mr. Kuehnle spoke against the motion to concur in the Senate amendments.

The motion by Mr. Ehlers that the House concur in the Senate amendments to Engrossed Substitute House Bill No. 10 was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 10 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 10 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 66; nays, 32; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Honan, Juelling, Julin, Kishimoto, Kopet, Kuehnle, Leckenby, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson, Zimmerman.

Engrossed Substitute House Bill No. 10 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENT TO HOUSE BILL

February 7, 1974

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 569 with the following amendments:

On line 2 of the title after "70 RCW" insert a period and strike the remainder of the title.

On page 1, after line 14 strike the remainder of the act and add the following: "Therefore, the department of ecology is directed to conduct studies of noise levels throughout the state and to report back to the legislature

with recommendations in the session beginning in January of 1975.

NEW SECTION. Sec. 2. No local jurisdiction shall adopt resolutions, ordinances, rules or regulations concerned with the control of noise prior to the adjournment of the 1975 regular legislative session."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Luders moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 569.

Mr. Blair spoke against the motion.

POINT OF ORDER

Mr. Charnley: "Are we debating both amendments, or just one?"

The Speaker: "The motion was for all the amendments."

Mr. Charnley: "I would like to move to divide the question."

The Speaker: "In examining the amendments, it appears that they do contain different subject matter and so, as a matter of courtesy, we usually allow the division. The question will be the first part of the Senate amendment, striking language beginning on line 14 and inserting language through 'January of 1975.' The other portion will be considered separately--adding the new section. The question before the House is the motion to concur in the first amendment."

POINT OF ORDER

Mr. Bluechel: "I would like to question the scope and object of the Senate amendment. It completely reverses the intent of the bill, inserts language in regard to a study and there is a totally different intent."

The Speaker: "The Speaker will defer further consideration at this time of Engrossed Substitute House Bill No. 569, until such time as we have a chance to review the amendment and the entire bill in regard to the point of order."

SENATE AMENDMENT TO HOUSE BILL

February 7, 1974

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 833 with the following amendment:

On page 5, after section 7 insert a new section as follows:

"NEW SECTION. Sec. 8. The provisions of this chapter shall cease to be effective and all commissions formed hereunder shall be abolished on June 30, 1975."

Renumber the remaining sections consecutively.  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Haussler, the House concurred in the Senate amendment to Engrossed Substitute House Bill No. 833.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 833 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 833 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed Substitute House Bill No. 833 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SPEAKER'S RULING

The Speaker: "In regard to the point of order raised on Engrossed Substitute House Bill No. 569, the Speaker finds that the point is not well taken. The context of the bill, those portions being stricken, relate to the control of noise. If this amendment is adopted, you are saying that you don't want to control it, but you do want to study it. I think that is within the scope. The second section is of direct concern with the areas of noise control by saying that the local jurisdiction shall not adopt. I

think the amendment is within the scope and object of the bill.

"The question before the House is the motion to concur in the first Senate amendment to Engrossed Substitute House Bill No. 569."

Mr. Bluechel spoke against the motion.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Leckenby: "It would appear to me that all of the material is under two amendments. In other words, there is one title amendment and one other amendment, is there not?"

The Speaker: "Representative Leckenby, there is one title amendment, and we have divided the other amendment into two amendments within the text of the bill."

Debate ensued, Representatives Beck and Luders speaking in favor of the motion to concur, and Representatives Nelson and Wojahn speaking against the motion.

Mr. Pardini demanded an electric roll call and the demand was sustained.

Representatives Bluechel and Kraabel spoke against the motion, and Representative Berentson spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Luders to concur in the first Senate amendment to Engrossed Substitute House Bill No. 569, and the motion was carried by the following vote: Yeas, 52; nays, 45; not voting, 1.

Voting yeas: Representatives Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Berentson, Ceccarelli, Charette, Chatalas, Conner, Curtis, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Hansen, Haussler, Hayner, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Thompson, Tilly, Van Dyk, Warnke, Wilson, and Mr. Speaker.

Voting nays: Representatives Adams, Amen, Bender, Benitz, Blair, Bluechel, Brown, Charnley, Clemente, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Freeman, Garrett, Goltz, Hansey, Hendricks, Hoggins, Honan, Julin, Kilbury, Kishimoto, Kopet, Kraabel, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Perry, Polk, Rabel, Sommers, Valle, Williams, Wojahn, Zimmerman.

Not voting: Representative Eikenberry.

The Speaker stated the question before the House to be the motion by Mr. Luders that the House do concur in the Senate amendment adding a new section.

Representatives Cunningham and Douthwaite spoke against the motion.

Mr. Rabel demanded an electric roll call and the demand was sustained.

Mr. Perry spoke in favor of the motion to concur, and Representative Douthwaite spoke against it.

Mr. Flanagan spoke in favor of the motion.

Mr. Anderson demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Luders that the House do concur in the Senate amendment to Engrossed Substitute House Bill No. 569 adding a new section, and the motion was carried by the following vote: Yeas, 62; nays, 34; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Berentson, Ceccarelli, Charette, Clemente, Conner, Curtis, Ehlers, Ellis, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, O'Brien, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Thompson, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Barnes, Benitz, Blair, Bluechel, Brown, Charnley, Chatalas, Cunningham, Douthwaite, Eikenberry, Eng, Freeman, Garrett, Gilleland, Goltz, Julin, Kopet, Kraabel, Lysen, Matthews, Morrison, Nelson, Newhouse, North F., North L., Pardini, Polk, Rabel, Sommers, Valle, Van Dyk, Williams, Wojahn, Zimmerman.

Not voting: Representatives Moon, Tilly.

On motion of Mr. Luders, the title amendment was adopted.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 569 as amended by the Senate.

Representatives Kraabel and Bluechel spoke against the bill, and Representative Charette spoke in favor of it.

Mr. Anderson demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 569 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 54; nays, 41; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bausch, Beck, Bender, Berentson, Ceccarelli, Charette, Clemente, Conner, Curtis, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hendricks, Hurley, Jastad, Johnson, Juelling, Kelley, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Martinis, Maxie, May, McCormick, Nelson, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Thompson, Van Dyk, Warnke, Wilson, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bauer, Benitz, Blair, Bluechel, Brown, Charnley, Chatalas, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Freeman, Garrett, Gilleland, Hayner, Hoggins, Honan, Julin, Kalich, Kishimoto, Kopet, Kraabel, Leckenby, Lysen, Matthews, Morrison, Newhouse, North L., Pardini, Patterson, Polk, Rabel, Tilly, Valle, Williams, Wojahn, Zimmerman.

Not voting: Representatives Moon, Paris, Sommers.

Engrossed Substitute House Bill No. 569 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 7, 1974

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1268 with the following amendment:

On page 2, line 11 after "1975" insert "payable July 1, 1975"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Randall, the House concurred in the Senate amendment.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1268 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1268 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 92; nays, 4; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard,

Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Gilleland, Kraabel, Nelson.

Not voting: Representatives Julin, Moon.

Engrossed Substitute House Bill No. 1268 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

February 6, 1974

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1525 with the following amendments:

On page 8, section 6, line 26 after "request" and before the period insert "PROVIDED, HOWEVER, That if the staff of any public or private agency regards a person voluntarily admitted as dangerous to himself or others or gravely disabled as defined by this act, they may detain such person for a reasonable length of time, not to exceed four days, sufficient to notify the designated county mental health professional of such person's condition to enable such mental health professional to authorize such person being further held in custody or transported to an evaluation and treatment center pursuant to the provisions of this act"

On page 11, section 8, line 11 after "or cause" insert "by oral or written order"

On page 18, beginning on line 29 delete all the matter down through and including line 6 on page 19 and insert:

"The physician-patient privilege shall be deemed waived in proceedings under this chapter when a court of competent jurisdiction in its discretion determines that it is unreasonable for the petitioner seeking 14-day involuntary treatment to obtain a sufficient evaluation of the detained person by a psychiatrist or psychologist or other health professional and such waiver is necessary in the opinion of the court to protect either the detained person or the public.

Whenever the physician-patient privilege is deemed waived pursuant to this section, the waiver shall be limited to the introduction of relevant and competent medical records or testimony of an evaluation or treatment facility or its staff, a facility of the department of social and health services or its staff, or a facility certified for 90-day treatment by the department of social and health services or its staff for the purpose of meeting evaluation requirements contained in chapter 10.77 RCW and



chapter 71.12 RCW: PROVIDED HOWEVER, That the physician-patient privilege shall not be waived if the physician specifically identifies himself to the detained person as one who is communicating with that person for treatment only; AND PROVIDED FURTHER, That the privilege shall not extend to incident reports involving the detained person."

On page 23, section 23, line 6 after "section" and before "of" strike "20" and insert "19"

On page 30, section 28, line 26 before "and knowingly)" strike "((wilfully" and insert "wilfully ("

On page 30, section 28, line 27 after "in" and before "violation" strike "wilful and knowing"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Parker moved that the House do not concur in the first three amendments and do concur in the last two amendments.

POINT OF ORDER

Mr. Smith: "I wonder if we could divide the question?"

The Speaker: "Yes, the question before the House then is the first Senate amendment. The motion is to not concur in the Senate amendment to page 8."

Mr. Parker spoke in favor of the motion, and Mr. Matthews spoke against it.

MOTION

Mr. Zimmerman moved that the House do concur in the Senate amendment to page 8, and the motion was carried on a rising vote.

MOTIONS

Mr. Parker moved that the House do not concur in the Senate amendment to page 11.

Mr. Matthews moved that the House do concur in the Senate amendment to page 11.

The motion to concur in the amendment was carried.

MOTION

Mr. Parker moved that the House do not concur in the Senate amendment to page 18.

Representatives Parker and Knowles spoke in favor of the motion, and Representatives Matthews and Smith spoke against it.

The motion was not carried, and the Speaker stated that the House had concurred in the third Senate amendment.

## POINT OF ORDER

Mr. Newhouse: "I would like to make for the record a statement regarding today's practice on Engrossed Substitute House Bill No. 1525 and other bills before the body, that the request was made by members of the body to divide the question, the request was granted without a vote of the body, contrary to the practice exercised by Mr. O'Brien who was presiding last year when I requested the same privilege."

The Speaker: "If you will remember, Representative Newhouse, we got into quite a parliamentary entanglement on the earlier request, and we decided that we would grant the right whenever possible so that we could go through it in an orderly fashion."

## MOTIONS

On motion of Mr. Parker, the House concurred in the fourth Senate amendment to Engrossed Substitute House Bill No. 1525.

On motion of Mr. Parker, the House concurred in the fifth Senate amendment to the bill.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1525 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1525 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 5; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Blair, Charnley, Conner, Julin, Parker.

Engrossed Substitute House Bill No. 1525 as amended by the Senate, having received the constitutional majority,

was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, the House advanced to the sixth order of business for the purpose of immediately considering HOUSE BILL NO. 1419 on second reading.

## SECOND READING

HOUSE BILL NO. 1419, by Representative Thompson:

Relating to elected officials salaries.

The bill was read the second time.

## MOTION

Mr. Newhouse moved that the House defer further consideration of House Bill No. 1419 until the next working day.

## POINT OF INQUIRY

Mr. Newhouse yielded to question by Mr. Charette.

Mr. Charette: "Mr. Newhouse, you have just made a motion that we hold over House Bill No. 1419 until tomorrow, which is the bill, as you know, that would roll back the elected officials' salaries to the level they were prior to the time this legislature enacted them and after passage of Initiative 282. Is it your intention, by this motion, to delay the passage or defeat the passage of House Bill No. 1419?"

Mr. Newhouse: "It is totally up to the body, Representative Charette. As I interpret this bill, it changes the effect of Initiative 282, which would require two-thirds vote. If you have two-thirds vote for that purpose, you have two-thirds vote to bump it at any time. I frankly feel that the people have spoken for this two-year period, we should not affect it at all, and I also feel that the bill itself is phoney in its intent."

The motion to defer consideration of House Bill No. 1419 was carried.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 437,  
SUBSTITUTE HOUSE BILL NO. 541,  
HOUSE BILL NO. 556,  
HOUSE BILL NO. 767,  
SENATE BILL NO. 2235,  
SENATE BILL NO. 2408,  
SENATE BILL NO. 2584,

SENATE BILL NO. 2989,  
SENATE BILL NO. 3023,  
SENATE BILL NO. 3059,  
SENATE BILL NO. 3080,  
SENATE BILL NO. 3122.

## MOTION

On motion of Mr. Charette, the House adjourned until  
10:00 a.m., Saturday, February 9, 1974.

LEONARD A. SAWYER, Speaker.  
DEAN R. FOSTER, Chief Clerk.

## TWENTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, February 9, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Bishop Leslie Gilbert of the Church of Jesus Christ of Latter Day Saints of Olympia.

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

## MESSAGES FROM THE SENATE

February 8, 1974

Mr. Speaker:

The President has signed:

	HOUSE BILL NO.	385,
SUBSTITUTE	HOUSE BILL NO.	671,
SUBSTITUTE	HOUSE BILL NO.	757,
	HOUSE BILL NO.	916,
SUBSTITUTE	HOUSE BILL NO.	967,
	HOUSE BILL NO.	1084,
	HOUSE BILL NO.	1173,
	HOUSE BILL NO.	1180,
	HOUSE BILL NO.	1226,
	HOUSE BILL NO.	1294,
	HOUSE BILL NO.	1303,
	HOUSE BILL NO.	1354,
	HOUSE BILL NO.	1355,
	HOUSE BILL NO.	1356,
	HOUSE BILL NO.	1357,
	HOUSE BILL NO.	1358,
	HOUSE BILL NO.	1360,
	HOUSE BILL NO.	1361,
	HOUSE BILL NO.	1508,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 8, 1974

Mr. Speaker:

The Senate has passed:

	ENGROSSED SENATE BILL NO.	3243,
	ENGROSSED SENATE BILL NO.	3379,
	SENATE CONCURRENT RESOLUTION NO.	152,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

February 8, 1974

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1259,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 3243, by Senators Grant, Washington and Murray:

AN ACT Relating to public disclosure; amending section 16, chapter 1, Laws of 1973 and RCW 42.17.160; amending section 18, chapter 1, Laws of 1973 and RCW 42.17.180; amending section 19, chapter 1, Laws of 1973 and RCW 42.17.190; and amending section 24, chapter 1, Laws of 1973 and RCW 42.17.240.

To Committee on Constitution and Elections.

SENATE BILL NO. 3379, by Senators Bailey and Day:

AN ACT Relating to mental illness; amending section 45, chapter 142, Laws of 1973 1st ex. sess. as amended by section 6, chapter 24, Laws of 1973 2nd ex. sess. and RCW 71.05.400; and declaring an emergency.

SENATE CONCURRENT RESOLUTION NO. 152, by Senator Bailey:

Authorizing temporary suspension of cutoff under Senate Concurrent Resolution No. 143.

## MOTIONS

On motion of Mr. Thompson, the rules were suspended, and Senate Bill No. 3379 was placed at the bottom of today's second reading calendar.

Mr. Thompson moved that Senate Concurrent Resolution No. 152 be placed on the second reading calendar ahead of Senate Bill No. 3379.

## POINT OF INQUIRY

Mr. Thompson yielded to question by Mr. Pardini.

Mr. Pardini: "Are we dealing only with the temporary suspension of the cutoff? It's not the concurrent resolution that we were looking at in the Rules Committee yesterday?"

Mr. Thompson: "Only the temporary suspension, that's right."

The motion was carried.

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

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Thompson, the House proceeded with business under the Call of the House.

REPORTS OF STANDING COMMITTEES

February 8, 1974

ENGROSSED SUBSTITUTE SENATE BILL NO. 3020, by Committee on Ways and Means, enacting a supplemental budget, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

" NEW SECTION. Section 1. That the following appropriations are hereby adopted and subject to the provisions set forth in the following sections or so much thereof as shall be sufficient to accomplish the purposes designated are hereby appropriated and authorized to be disbursed by the designated agencies and offices of the state and for other specified purposes, including operations and capital improvements, for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975, except as otherwise provided, out of the several funds of the state hereinafter named.

NEW SECTION. Sec. 2. FOR THE STATE EMPLOYEES' INSURANCE BOARD
State Employees' Insurance Revolving Fund
Appropriation ..... \$ 48,569

NEW SECTION. Sec. 3. FOR THE PUBLIC DISCLOSURE COMMISSION
General Fund Appropriation ..... \$ 190,242

NEW SECTION. Sec. 4. FOR THE GOVERNOR'S INDIAN ADVISORY COUNCIL
General Fund Appropriation ..... \$ 116,626

NEW SECTION. Sec. 5. FOR THE ASIAN-AMERICAN ADVISORY COUNCIL
General Fund Appropriation ..... \$ 57,126

NEW SECTION. Sec. 6. FOR THE WASHINGTON STATE WOMEN'S COUNCIL
General Fund Appropriation ..... \$ 58,556

NEW SECTION. Sec. 7. FOR THE STATE TREASURER
State Treasurer's Service Fund Appropriation: PROVIDED,

That none of this appropriation shall be used to process after January 1, 1975 any warrant issued by the state in payment of salary and wages or reimbursement of expenses paid state officials or employees or payments to vendors which shall contain any statement,

representation, contract, or commitment that requires the payee to consent thereto as a condition of endorsement or receiving payment of such warrant..... \$ 152,016

War Veterans' Compensation  
Fund Appropriation..... \$ 2,093,815

NEW SECTION. Sec. 8. FOR THE WASHINGTON STATE DATA PROCESSING AUTHORITY

General Fund Appropriation: PROVIDED,  
That \$250,000 of this appropriation shall be used for captalization of a Data Processing Revolving Fund ..... \$ 525,700

NEW SECTION. Sec. 9. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS

General Fund Appropriation ..... \$ 35,724

NEW SECTION. Sec. 10. FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation: PROVIDED,  
That this appropriation shall be available to fund a pilot program by Pierce county utilizing and developing a system of taxpayer reporting of assessment information as provided in chapter ... (SB 3135), Laws of 1974 ... ex. sess.: PROVIDED FURTHER, That any part of the appropriation for such pilot program may be used for matching purposes in in order to receive federal or other funds: PROVIDED FURTHER, That the department of revenue and Pierce county shall each make a separate evaluation of such pilot program and report the results of such evaluation to the House and Senate Ways and Means Committees not later than November 1, 1974: PROVIDED, That \$187,004 shall be expended for the purpose of conducting revaluation ratio studies or indicated ratio studies as prescribed by chapter 195, Laws of 1973  
1st ex. sess. .... \$ 387,004

NEW SECTION. Sec. 11. FOR THE UNIFORM LEGISLATION COMMISSION

General Fund Appropriation ..... \$ 2,400

NEW SECTION. Sec. 12. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation For Operations .. \$ 109,718

General Fund Appropriation  
For fossil fuel allocation activities  
in state government ..... \$ 63,385

General Fund Appropriation: PROVIDED,  
That this appropriation shall be utilized solely for a demonstration pilot program for migrant labor housing authorized pursuant to the provisions of chapter ... (SSB 2701), Laws of 1974  
... ex. sess. .... \$ 100,000

NEW SECTION. Sec. 13. FOR THE INSURANCE COMMISSIONER

General Fund Appropriation: PROVIDED,



That this appropriation shall be used solely for the administration of the voluntary no-fault insurance program in the state ..... \$ 450,000

NEW SECTION. Sec. 14. FOR THE BOARD OF ACCOUNTANCY  
 General Fund Appropriation ..... \$ 6,000

NEW SECTION. Sec. 15. FOR THE LIQUOR CONTROL BOARD  
 Liquor Board Revolving Fund Appropriation .. \$ 174,369

NEW SECTION. Sec. 16. FOR THE MILITARY DEPARTMENT  
 General Fund Appropriation ..... \$ 53,440

NEW SECTION. Sec. 17. FOR THE HIGHER EDUCATION PERSONNEL BOARD  
 Higher Education Personnel Board Service  
 Fund Appropriation: PROVIDED, That this appropriation shall be used to implement comprehensive classification and compensation plan for classified employees at institutions of higher education ..... \$ 49,123

NEW SECTION. Sec. 18. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES  
 General Fund Appropriation  
 For Veterans' Services: PROVIDED, That this amount or so much thereof as shall be necessary along with available local funds shall be used to add nursing and medical related staffing at the State Veterans' Home and the State Soldiers' Home so as to meet state licensing standards for domiciliary and nursing home facilities ..... \$ 450,624

General Fund Appropriation  
 For Adult Probation and Parole: PROVIDED, That this amount shall be used to fund the staff necessary to conduct pre-sentence investigations, preliminary hearings and to maintain current services and meet existing workloads ..... \$ 1,030,601

General Fund Appropriation  
 For Mental Health: PROVIDED, That the Department of Social and Health Services is authorized to draw this amount in Federal Title XIX funds for use in the Community Mental Health and Drug Abuse programs ..... \$ 2,395,995

General Fund Appropriation  
 For Community Social Services: PROVIDED, That this amount shall be used for the Adult Family Home Program to establish a basic monthly rate of \$175.00 for family home care and \$200.00 for minimum nursing care effective July 1, 1974: PROVIDED FURTHER, That this rate will be in effect until such time as the Department establishes a cost-related reimbursement system which shall recognize all relevant cost factors ..... \$ 130,000

NEW SECTION. Sec. 19. FOR THE HUMAN RIGHTS COMMISSION  
 General Fund Appropriation .....\$ 46,156

NEW SECTION. Sec. 20. FOR THE DEPARTMENT OF LABOR AND  
 INDUSTRIES  
 General Fund Appropriation: PROVIDED,  
 That this appropriation be used for  
 increased workload due to enforcement  
 of the Contractor's Registration Act .... \$ 25,000

NEW SECTION. Sec. 21. FOR THE BOARD OF PRISON TERMS  
 AND PAROLES  
 General Fund Appropriation: PROVIDED,  
 That not less than \$65,000 of this  
 appropriation shall be available  
 to provide legal counsel to  
 indigent parole violators .....\$ 210,140

NEW SECTION. Sec. 22. FOR THE EMPLOYMENT SECURITY  
 DEPARTMENT  
 General Fund Appropriation: PROVIDED,  
 That this amount shall be used for  
 the design, development, and  
 implementation of an experimental  
 program leading to employment of  
 at least 100 mentally retarded  
 persons currently in Activity  
 Centers, Sheltered Workshops, Group  
 Homes or Schools for the Mentally  
 Retarded and this program will  
 include employment preparation,  
 diagnostic orientation and testing,  
 academic tutoring, social adjustment,  
 orientation to employment and  
 employment relationships, job search  
 and placement and employer orientation  
 to provide employers of the trainees  
 with an understanding of the unique  
 assets and limitations of the mentally  
 retarded as they relate to employment  
 responsibilities, and will provide  
 for financial penalties to the extent  
 that such performance objectives are  
 not met .....\$ 170,000

General Fund Appropriation  
 For use in developing a program for  
 the delivery of specialized employment  
 services to persons previously  
 convicted of a felony and all offenders  
 receiving parole stipend moneys must  
 actively participate in preemployment  
 counseling and placement programs  
 approved by the Department of  
 Employment Security and refusal to  
 participate in programs authorized  
 by this provision will result in  
 termination of any post release stipend  
 being provided to subject felons:  
 PROVIDED, That the department shall  
 contract for the development of such  
 a program after calling for competitive  
 bids and contracts awarded under this

provision will contain performance specifications and financial penalties to the contractor in the event of nonperformance .....\$ 250,000

General Fund Appropriation

For continuation of an ongoing performance oriented program of moving unemployed persons to full time employment: PROVIDED, That this funding is for the period January 1, 1975 through June 30, 1975: PROVIDED FURTHER, That the funds contained in this appropriation can be expended earlier in the event that the insured unemployment rate exceeds 6.5 percent in an area served by the program .....\$ 125,000

NEW SECTION. Sec. 23. FOR THE DEPARTMENT OF MOTOR

VEHICLES

General Fund Appropriation ..... \$ 521,557  
 Highway Safety Fund Appropriation ..... \$ 125,670  
 Motor Vehicle Fund Appropriation ..... \$ 16,634

NEW SECTION. Sec. 24. FOR THE PLANNING AND COMMUNITY

AFFAIRS AGENCY

General Fund Appropriation: PROVIDED, That this appropriation shall be used exclusively for the drug abuse prevention program: PROVIDED, That \$72,327 is from state funds and \$950,000 is from federal funds ..... \$ 1,022,092

NEW SECTION. Sec. 25. FOR THE STATE

PATROL

General Fund Appropriation ..... \$ 308,457  
 Motor Vehicle Fund Appropriation ..... \$ 430,000

NEW SECTION. Sec. 26. FOR THE POLLUTION

CONTROL HEARINGS BOARD

General Fund Appropriation ..... \$ 111,092

NEW SECTION. Sec. 27. FOR THE PARKS

AND RECREATION COMMISSION

General Fund Appropriation

For agency operations: PROVIDED, That \$30,000, or so much thereof as shall be necessary, be utilized for continuation of contractual agreements with Grays Harbor and Pacific Counties for beach patrol and law enforcement on North Beach, South Beach, and Long Beach .....\$ 187,218

General Fund--Trust Land Purchase Account Appropriation .....\$ 600,000

General Fund Appropriation

For resource development and to facilitate the commission's capital program ..... \$ 60,824

NEW SECTION. Sec. 28. FOR THE INTERAGENCY COMMITTEE

FOR OUTDOOR RECREATION

General Fund--Outdoor Recreation Account Reappropriation .....\$ 4,456,956

General Fund--Outdoor Recreation

## Account Appropriation

For the purpose of updating the state outdoor recreation plan .....\$ 46,578  
NEW SECTION. Sec. 29. FOR THE DEPARTMENT OF FISHERIES  
 General Fund Appropriation .....\$ 2,131,202  
NEW SECTION. Sec. 30. FOR THE DEPARTMENT OF GAME  
 General Fund Appropriation .....\$ 23,460  
 Game Fund Appropriation: PROVIDED, That at no time shall expenditures for Non-game Wildlife Programs exceed revenues realized from sale of personalized license plates: PROVIDED FURTHER, That \$10,000 shall be used solely for the protection and treatment of injured non-game species .....\$ 294,026  
NEW SECTION. Sec. 31. FOR THE DEPARTMENT OF NATURAL RESOURCES  
 General Fund Appropriation .....\$ 16,652  
 General Fund--Resource Management Cost  
 Account Appropriation .....\$ 607,412  
NEW SECTION. Sec. 32. FOR THE DEPARTMENT OF AGRICULTURE  
 General Fund Appropriation: PROVIDED, That of this appropriation \$65,000 shall be used for inspectors to be utilized in brand inspection and to investigate rustling activities: PROVIDED, That \$5,000 shall be used for brand recording: PROVIDED FURTHER, That \$75,000 shall be expended by the department as their one-third share of a pilot program in Lewis and Thurston Counties directed toward eradication of the Noxious Tansy Ragwort Weed, each county and participating individual agricultural landowner to provide their equal one-third share ..... \$ 145,000  
 General Fund Appropriation: PROVIDED, That this appropriation is to be expended exclusively for the operation of an animal diagnostic laboratory at Washington State University: PROVIDED FURTHER, That such amount be reduced proportionately by any sums collected by the Department of Agriculture for the purposes of providing said diagnostic services .....\$132,000  
 Grain and Hay Inspection Fund Appropriation ..\$551,674  
NEW SECTION. Sec. 33. FOR THE EXPO '74 COMMISSION  
 General Fund Appropriation: PROVIDED, That \$110,000 is for a state environmental program exhibit and a like amount is transferred from the State Trade Fair Fund to the General Fund pursuant to Chapter 93, Laws of 1972 ex. sess.: PROVIDED FURTHER, That \$200,000 is for an Afro-American Pavilion at the Expo '74 Worlds Fair to be matched by at least an equal amount of funds from federal, local, and private sources .....\$ 310,000

NEW SECTION. Sec. 34. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION General Fund Appropriation for General Apportionment: PROVIDED, That the weighting schedule to be used in computing the apportionment of funds for each district for 1973-75 shall be based on the following factors: Each full time equivalent student enrolled -- 1.0; each full time equivalent student enrolled in vocational education in grades 9-12 when excess costs are documented for the class and where the class is approved by the state Superintendent, an added -- 1.0; all identified culturally disadvantaged children receiving an approved program, an added -- .1; the factor established by the Superintendent of Public Instruction for use in the 1973-75 biennium designed to reimburse each district for costs resulting from staff education and experience greater than the minimum in the average salary schedule in use by Washington school districts adjusted to reflect legislative appropriation levels shall be used; for school districts enrolling fewer than 250 students in grades 9-12, for nonhigh districts judged remote and necessary by the State Board of Education and which enroll fewer than 100 students, and for small school plants which are judged remote and necessary within school districts by the state board of education shall be in accordance with the weighting factors used during the 1972-73 school year: PROVIDED, That all school districts judged remote and necessary for school apportionment purposes during the 1972-73 school year shall be considered remote and necessary for school apportionment purposes throughout the 1973-75 biennium unless their enrollment exceeds 250 students in grades 9-12 or for nonhigh districts unless their enrollment exceeds 100 students: PROVIDED, That a school district formed after July 1, 1971 and which formerly consisted of one or more school districts qualifying during the preceding school year for additional weighting under the 'remote and necessary' provision or 'fewer than 250 students in grades 9-12' provision shall receive for a period of four years following consolidation such additional weighting as accrued to the qualifying district or districts for the school year preceding consolidation; full time equivalent students residing on tax exempt

property (Chapter 130, Laws of 1969), an added -- .25; full time equivalent students in an approved interdistrict cooperative program (Chapter 130, Laws of 1969), an added -- .25: PROVIDED, That an amount not to exceed \$345,020 is included for the five vocational-technical institutes: PROVIDED, That no portion of these funds shall be allocated to a school district which expends or anticipates expending moneys in excess of their certified budget or budget extensions thereto as filed with the office of the Superintendent of Public Instruction and the Board of Education: PROVIDED, That it is the intent of the Legislature that \$11,100,000 of the funds contained in this appropriation shall be used to reduce maintenance and operations excess levies to the extent an individual school district's revenue for 1974-75 exceeds the school district's revenue for 1973-74 exclusive of the two mill payment delayed from June to July: PROVIDED, That the Superintendent of Public Instruction shall withhold from the amounts otherwise to be distributed through the apportionment formula to the districts any funds in excess of such 1973-74 revenues unless such districts demonstrate that excess maintenance and operations levies have been reduced to a comparable level with 1973-74 school district revenues: PROVIDED, That no district shall be required to reduce excess maintenance and operation levies if such districts revenue per pupil for basic support is below the state-wide average of the 1973-74 school year for comparable districts: PROVIDED, That the receipt of federal funds which can be distributed through the apportionment formula and which provide funding in excess of 1973-74 categorical funding levels shall require the reversion of an equal amount of state funds at the end of the biennium: PROVIDED FURTHER, That the Superintendent of Public Instruction shall consult with the House and Senate Ways and Means Committees prior to taking any action in compliance with these provisos and the determination of such committees shall be interpreted as a directive to the Superintendent of Public Instruction .... \$114,627,017

NEW SECTION. Sec. 35. FOR THE  
 SUPERINTENDENT OF PUBLIC INSTRUCTION  
 General Fund Appropriation  
 For the Superintendent of Public  
 Instruction for state institutional  
 education program .....\$ 1,183,003

Sec. 36. Section 112, chapter 137, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund Appropriation: For allocation by the Superintendent of Public Instruction for classified employee salary increases based on local prevailing wage rates and where appropriate equation with the State Department of Personnel salary schedule: PROVIDED, That the Superintendent of Public Instruction is authorized to expend from this appropriation an amount not to exceed \$50,000 for the conduct of a salary survey prior to the allocation of this appropriation: PROVIDED FURTHER, That ((the Superintendent of Public Instruction is authorized to appoint a five member advisory committee to assist in developing guidelines and criteria for allocation of this appropriation) a base rate of not less than \$13.59 per month per full time equivalent classified employee shall be allocated to each district: PROVIDED FURTHER, That the Superintendent of Public Instruction is authorized to allocate the balance of this appropriation according to the guidelines developed in the salary survey..... \$ ((5,000,000)) 7,700,000

NEW SECTION. Sec. 37. FOR THE SUPERINTENDENT OF PUBLIC

INSTRUCTION

General Fund Appropriation: PROVIDED, That this amount shall be used to expand, improve, and develop current and new information and accounting systems designed to improve the data base of the Superintendent of Public Instruction .....\$ 135,000

NEW SECTION. Sec. 38. FOR THE ARTS

COMMISSION

General Fund Appropriation: PROVIDED, That \$100,000 of this appropriation shall be used for the purpose of securing federal funds to aid in development of a viable operatic program in this state .....\$ 163,585

NEW SECTION. Sec. 39. FOR THE COUNCIL

ON HIGHER EDUCATION

General Fund Appropriation For the state student financial aid program as authorized by RCW 28B.10.800 through 28B.10.824: PROVIDED, That none of these funds shall be expended for administrative purposes .....\$ 1,800,000

NEW SECTION. Sec. 40. FOR THE STATE LIBRARY

General Fund Appropriation: PROVIDED, That \$1,336,000 of this amount should

be allotted to local library districts to replace local property tax revenues and maintain present levels of library service: PROVIDED, That \$1,669,353 of this amount shall be from Federal funds under which \$1,408,620 is available for library service and \$260,733 is available for capital construction purposes, and any Federal funds received in excess of such amounts shall not be expended unless authorized by the Senate and House Ways and Means Committees of the Legislature: PROVIDED FURTHER, That \$863,000 of the state General Funds contained within this appropriation shall be held in unallotted status and against which no expenditures or commitments shall be made pending the determination by the Office of Program Planning and Fiscal Management and the House and Senate Ways and Means Committees as to whether or not Federal funds can be utilized in lieu of the \$863,000 appropriation of state funds .....\$ 4,498,691

NEW SECTION. Sec. 41. FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation: PROVIDED, That an additional one hundred and fifty students may be enrolled for the 1974-75 school year and such enrollment growth shall be in addition to the 1973-75 allowed enrollment level ..... \$ 171,627

NEW SECTION. Sec. 42. FOR WASHINGTON STATE UNIVERSITY

General Fund Appropriation: PROVIDED, That \$100,000 is appropriated to accelerate and expand current research into alternative methods of burning grasses grown for commercial seed production pursuant to implementation of the Federal Clean Air Act: PROVIDED, That \$30,800 of this appropriation shall be used for research into alternative methods of controlling the noxious weed Tansy Ragwort (Senecio-Jacobaea): PROVIDED, That the remaining \$13,750 of this appropriation shall be used for research into an inventory of wetlands and the benefit of wetlands for water fowl habitat: PROVIDED, That an equal amount of \$13,750 shall be provided to Washington State University by the Department of Ecology from funds available to the Department of Ecology for water research:



PROVIDED FURTHER, That the appropriation of \$50,000 made to Washington State University by section 3, chapter 131, Laws of 1973 1st ex. sess. for staff, design, and beginning construction of an underground distribution test site, shall be placed in reserve and not expended.....\$ 144,550

NEW SECTION. Sec. 43. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation: PROVIDED, That this appropriation shall be for the continued implementation of a Management Information System directed toward analytical data gathering and evaluation of such data as required by the State Board for Community College Education and the Legislative and Executive branches of government:

PROVIDED FURTHER, That no expenditure of any of these funds shall be made until the final system design is approved by the State Data Processing Authority and the Office of Program Planning and Fiscal Management.....\$ 500,000

NEW SECTION. Sec. 44. FOR THE GOVERNOR--SPECIAL APPROPRIATIONS

General Fund Appropriation: PROVIDED, That these funds shall be distributed to institutions of higher education including community colleges to implement a uniform personnel classification and compensation system.....\$ 1,467,000

NEW SECTION. Sec. 45. FOR THE GOVERNOR--SPECIAL APPROPRIATIONS

General Fund Appropriation: To provide effective July 1, 1974, sufficient appropriations as are necessary to implement a sixth increment step for ranges five through twenty-two inclusive, to the State Personnel Board salary schedule as adopted effective January 1, 1974: PROVIDED, That all employees in ranges five through twenty-two who on July 1, 1974 have been in the fifth step for twelve months or more shall on July 1, 1974 advance to the sixth step; employees who have been in the fifth step less than twelve months shall advance to the sixth step on their regular periodic increment date and any employee subsequently completing twelve months at the fifth step shall advance to the sixth step on their periodic increment date: PROVIDED FURTHER, That funds may be allocated from this appropriation to provide comparable salary increases for

employees of judicial and legislative agencies: AND PROVIDED FURTHER, That classified employees under chapter 28B.16 RCW who are assigned to HEPB salary range 41 or below shall receive a 5% salary increase on July 1, 1974, if they were at the top step of their institutional salary range on or before July 1, 1973, or whenever they would have completed 12 months at the top step of their former institutional range and who are not now eligible for a 5% incremental step under the Higher Education Personnel Board Compensation Plan adopted January 1, 1974.....\$ 4,650,228

Special Fund Salary Increase Revolving Fund Appropriation: The State Treasurer is hereby directed to transfer sufficient revenue from each special fund to the Special Fund Salary Increase Revolving Fund, in accordance with schedules provided by the Office of Program Planning and Fiscal Management, as required to implement effective July 1, 1974, a sixth step for ranges five through twenty-two inclusive, to the State Personnel Board salary schedule as adopted effective January 1, 1974, and for comparable salary increases for employees of judicial and legislative agencies; and for a five percent salary increase for classified employees under the jurisdiction of chapter 28B.16 RCW who are assigned to HEPB salary range 41 or below effective July 1, 1974, if they were at the top step of their institutional salary range on or before July 1, 1973 or whenever they would have completed 12 months at the top step of their former institutional range and who are not now eligible for a 5% incremental step under the Higher Education Personnel Board compensation plan adopted January 1, 1974 .....\$ 1,743,108

Sec. 46. Section 4, chapter 131, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE COLLEGE  
 General Fund Appropriation: PROVIDED,  
 That up to \$((400,000)) 146,000 of this appropriation shall be made available for establishment and support of a Master of Social Work graduate program during the 1973-75 biennium ..... \$ ((20,903,644)) 20,922,445

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter ((S.S.B. 2854)) 137, Laws of 1973 1st ex. sess. for faculty and exempt

personnel .....\$ 684,383

Sec. 47. Section 5, chapter 131, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE CENTRAL WASHINGTON STATE COLLEGE

General Fund Appropriation: PROVIDED, That

Central Washington State College may expend an amount not to exceed \$125,000 to explore the feasibility of the development and implementation of a management by objective program for the administration of public agencies..... \$ ((22,448,249)) 21,655,934

General Fund Appropriation: For salary and related fringe benefit

increases in addition to any other increases authorized by chapter ((--- {SSB 2854})) 137, Laws of 1973 1st ex. sess. for faculty and exempt personnel .....\$ 850,876

Sec. 48. Section 7, chapter 131, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WESTERN WASHINGTON STATE COLLEGE

General Fund Appropriation.....\$ ((25,536,776)) 24,618,515

General Fund Appropriation: For salary and related fringe benefit

increases in addition to any other increases authorized by chapter ((--- {SSB 2854})) 137, Laws of 1973 1st ex. sess. for faculty and exempt personnel .....\$ 1,032,000

NEW SECTION. Sec. 49. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

From the	From the
Community College	Community College
Capital Improvements	Capital Projects
Account	Account

(1) Construct classrooms, science labs, faculty offices, learning resource center, administration, dining and storage space at Olympia Vocational

Technical Institute \$ 1,382,377 \$ 222,000

(2) Working drawings for vocational facilities, a learning resource center, faculty and administrative offices, and classroom at Spokane Community College (Mission Campus) \$ 282,957

(3) Working drawings for administrative space, remodeling the learning resource center, and a new welding facility at Green River Community College \$ 40,216

(4) Working drawings for

vocational facilities, learning resource center space and remodeling of present library at Lower Columbia Community College	\$	75,967		
(5) Working drawings for vocational facilities, science labs and faculty offices at Everett Community College	\$	64,737		
(6) Working drawings for vocational facilities, additions to the library and dining facilities and remodeling of the library at Peninsula College	\$	20,756	\$	5,654
(7) Working drawings for dining, office, health, bookstore, study space, and remodeling of existing facility at Columbia Basin College			\$	48,272
(8) Working drawings for a library addition, student dining and activity space, and remodeling at Spokane Community College (Spokane Falls Campus)	\$	18,167	\$	59,468
(9) Working drawings for vocational facilities and faculty offices in Unit C at the South Seattle campus of Seattle Community College	\$	24,229		
(10) Working drawings for dining and office space at Ft. Steilacoom Community College	\$	7,481	\$	17,455
(11) Working drawings for dining space and remodeling at Yakima Valley College			\$	22,839
(12) Working drawings for dining space, science labs, and physical education space at Edmonds Community College	\$	85,312	\$	16,250
(13) Working drawings for learning resource center and related office space at Olympic College	\$	30,719		
(14) Working drawings for student activity space at Walla Walla Community College	\$	23,059		
(15) Working drawings for library, classrooms, and				

labs at Shoreline  
Community College \$ 46,133

NEW SECTION. Sec. 50. FOR THE  
STATE PARKS AND RECREATION COMMISSION

From the	From the
Fund Designated	General Fund

For development of  
Snowmobile Facilities  
at Mt. Spokane  
and for safety  
improvements at  
Moran State  
Park \$ 30,300

NEW SECTION. Sec. 51. FOR THE  
DEPARTMENT OF FISHERIES

From the	From the
Fund Designated	General Fund

For the construction  
of the Elwha spawning  
and egg incubation  
channel or such other  
capital facilities as  
needed to restore  
Elwha salmon run \$ 280,000

NEW SECTION. Sec. 52. FOR THE  
DEPARTMENT OF GAME

Reappropriations	From the
	General Fund

General Fund  
Outdoor  
Recreation  
Account 1971-73  
biennium \$ 362,993

NEW SECTION Sec. 53. FOR THE  
DEPARTMENT OF NATURAL RESOURCES

From the	From the
Fund Designated	General Fund

(1) For capital  
facilities at  
Larch Mountain  
Honor Camp  
General Fund  
CEP&RI Account \$ 200,000

(2) For nursery  
reforestation and  
timber sale capital  
facilities  
Resource Management  
Cost Account \$ 1,777,000

(3) For reforestation  
access road construction  
General Fund  
Forest Development  
Account \$ 200,000

NEW SECTION. Sec. 54. FOR EASTERN  
WASHINGTON STATE COLLEGE  
Eastern Washington State College Capital  
Projects Account appropriation for  
planning and working drawings for

a fresh water research laboratory .....\$ 30,000

NEW SECTION. Sec. 55. FOR THE EVERGREEN  
STATE COLLEGE

Construct and equip Communication Arts Building

The Evergreen State College Capital

Project Account .....\$ 1,032,000

General Fund--State Higher Education

Construction Account .....\$ 5,720,180

NEW SECTION. Sec. 56. Notwithstanding any other provision of law to the contrary, the Department of Social and Health Services shall not implement a simplified grant schedule for public assistance recipients prior to June 1, 1974. The grant schedule in effect on January 1, 1974, shall remain effective until the Legislature can review alternatives to the present system of providing grants.

NEW SECTION. Sec. 57. It is the intention of the Legislature that \$3,072,876 from local funds presently available within the Public Health Program of the Department of Social and Health Services for Firland Hospital shall remain unexpended at the end of the 1973-75 biennium.

NEW SECTION. Sec. 58. Notwithstanding any other provision of law or rule and/or regulations, the superintendent of public instruction is authorized to use not more than \$45,000 of apportionment funds to expand the state venereal disease education program and \$25,000 to assist the Pacific Science Center in conducting school district supplemental programs: PROVIDED, That the superintendent shall use funds currently held in reserve status to finance these programs.

NEW SECTION. Sec. 59. Notwithstanding any provisions of RCW 28B.16.100 the implementation of salary adjustments provided for higher education classified personnel by sections 44 and 45 of this 1974 amendatory act shall be subject only to the approval of the Office of Program Planning and Fiscal Management as to the availability of funds.

NEW SECTION. Sec. 60. There is hereby appropriated out of funds made available to this state under section 903 of the Social Security Act, as amended, the sum of five hundred thousand dollars, or so much thereof as may be necessary, to be used under the direction of the commissioner of the employment security department for the purpose of paying the legally authorized and required salaries and fringe benefits, including prior biennium employer contributions to the Public Employees Retirement System for retirement service credits, to the employees of the employment security department of the state of Washington in the event and to the extent that the United States or its agents fail or refuse to supply sufficient current obligational authority to make such payments at the staff level in effect for such department on February 1, 1974, for the remainder of the 1973-1975 biennium: PROVIDED, That no part of the money hereby appropriated may be obligated after the expiration of the two-year period beginning on the date of enactment of this 1974 amendatory act: PROVIDED FURTHER, That the amount obligated pursuant to this 1974 amendatory act during any twelve-month period beginning on July 1st and ending on the next June 30th

shall not exceed the amount by which (1) the aggregate of the amounts credited to the account of this state pursuant to section 903 of the Social Security Act during such twelve-month period and the twenty-four preceding twelve-month periods exceeds (2) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this state during such twenty-five twelve-month period.

NEW SECTION. Sec. 61. The Office of Program Planning and Fiscal Management is hereby authorized and directed to transfer 1973-75 General Fund allotments from the Superintendent of Public Instruction to the Council on Higher Education after passage of Chapter ... (SB 3159), Laws of 1974 ... ex. sess. on the effective date of such chapter, as follows:

(1) So much of the \$5,000 appropriation to the Superintendent of Public Instruction remaining unexpended from the appropriation made in chapter 134, Laws of 1973 1st ex. sess. for assistance to blind students as provided for in RCW 28B.10.215; and

(2) \$7,500 from the appropriation made in chapter 134, Laws of 1973 1st ex. sess. for the Superintendent of Public Instruction (Including Board of Education) to implement the provisions of Chapter ... (SB 3159), Laws of 1974 ... ex. sess.

NEW SECTION. Sec. 62. The Office of Program Planning and Fiscal Management shall prepare a report on unfilled and unfunded positions for each and every agency of state government subject to executive budget review under the provisions of chapter 43.88 RCW. This report shall be submitted to the chairmen of the House and Senate Ways and Means Committees on or before March 29, 1974. The form and content of the report and the form and manner of data submission by state agencies shall be as prescribed by the Director of the Office of Program Planning and Fiscal Management subject to the approval of the chairmen of the House and Senate Ways and Means Committees.

NEW SECTION. Sec. 63. (1) Federal funds, which were not anticipated relative to the appropriations enacted by the Legislature for the biennium ending June 30, 1975 for programs financed from both state and federal revenues, shall be used in lieu of moneys from state or local revenue sources unless prohibited by federal law, rule, regulation or other restriction. The provisions of RCW 43.79.260 through RCW 43.79.280 shall not apply to authorize expenditures beyond appropriated amounts from federal funds subject to this subsection. Exceptions to the rule imposed by this subsection may be granted by the Legislature if in session or by the Legislative Budget Committee during the interim between legislative sessions.

(2) Notwithstanding the provisions of RCW 43.79.260 through RCW 43.79.280 federal funds which are not subject to subsection (1) of this section and which were not anticipated relative to appropriations enacted by the Legislature shall not be allocated for expenditure in excess of appropriations provided by law for the biennium ending June 30, 1975 without prior approval of the Legislature if in session or by the Legislative Budget Committee during the interim between legislative sessions.

(3) Notwithstanding the provisions of RCW 43.79.260 through RCW 43.79.280 any unanticipated state or local revenues to appropriated funds or accounts shall not be allocated for expenditure in excess of appropriations provided by law for the biennium ending June 30, 1975 without prior approval of the Legislature if in session or by the Legislative Budget Committee during the interim between legislative sessions.

NEW SECTION. Sec. 64. It is the intention of the legislature that the term "agencies" as used in section 86, chapter 137, Laws of 1973 1st ex. sess. for the purposes of authorizing an additional state contribution to employees health insurance shall include the employees of the Public Pension Commission, Office of the Governor, Lieutenant Governor, Supreme Court, State Law Library, Court of Appeals, Administrator for the Courts, and the Judicial Council.

NEW SECTION. Sec. 65. Notwithstanding the provisions of RCW 43.03.060 relative to a maximum limit on the reimbursement of state officers and employees for use of private automobiles on official state business during the fiscal biennium ending June 30, 1975, state officers and employees shall be reimbursed for their expenses necessarily incurred in authorized travel by private automobile on official state business at a mileage rate of not to exceed thirteen cents per mile, effective March 1, 1974 as directed by the director of the Office of Program Planning and Fiscal Management. It is the intent of the Legislature that the Office of Program Planning and Fiscal Management and each state agency will carefully review existing travel practices and policies governing utilization of privately-owned automobiles on official state business and that sufficient economies be effected to at least offset any additional costs associated with the increase in the maximum reimbursement rate. The increase in the maximum rate allowed by this section shall not be used as the basis for any supplemental legislative appropriation.

NEW SECTION. Sec. 66. All personal services contracts except those which the director of the Office of Program Planning and Fiscal Management may exempt after consultation with the Legislative Budget Committee shall be filed with the Office of Program Planning and Fiscal Management and the Legislative Budget Committee prior to obligating any portion of the appropriations approved in this 1974 amendatory act.

NEW SECTION. Sec. 67. In addition to any funds contained in this 1974 amendatory act, appropriations made by the Legislature may be expended for programs set forth in chapter 137, Laws of 1973 1st ex. sess.

NEW SECTION. Sec. 68. Section 6, chapter 139, Laws of 1973 1st ex. sess. (uncodified) is hereby repealed.

NEW SECTION. Sec. 69. If any provision of this 1974 amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 70. This 1974 amendatory act is necessary for the immediate preservation of the public



peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, strike all of the title and insert the following:

"AN ACT Relating to expenditures by state agencies and offices of the state; making appropriations for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; making other appropriations; designating effective dates for certain appropriations; amending section 4, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 5, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 7, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 112, chapter 137, Laws of 1973 1st ex. sess. (uncodified); repealing section 6, chapter 139, Laws of 1973 1st ex. sess. (uncodified); and declaring an emergency."

Signed by Representatives Bagnariol, Chairman; Shinpoch, Subcommittee Chairman; Randall, Subcommittee Chairman; Bausch, Charette, Chatalas, Ehlers, Erickson, Gaspard, Goltz, Hurley, Kilbury, King, Luders, North (Frances), Sawyer, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke.

#### MOTION

On motion of Mr. Thompson, the rules were suspended and Engrossed Substitute Senate Bill No. 3020 was placed on the calendar for second reading.

February 7, 1974

SENATE BILL NO. 3209, Prime sponsor: Senator Sandison, amending the laws relating to taxation of insurance pensions, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass. Signed by Representatives Bagnariol, Chairman; Shinpoch, Subcommittee Chairman; Randall, Subcommittee Chairman; Amen, Bausch, Benitz, Charette, Curtis, Ehlers, Eikenberry, Erickson, Flanagan, Gaspard, Goltz, Hansey, Hoggins, Hurley, Juelling, Julin, Kilbury, King, Kopet, Kuehnle, Luders, Morrison, North (Frances), Pardini, Polk, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Zimmerman.

To Committee on Rules for second reading.

The Speaker assumed the Chair.

## SECOND READING

HOUSE BILL NO. 1419, by Representative Thompson:

Relating to elected officials salaries.

The bill was read the second time.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-sixth day, 3rd ex. sess., February 8, 1974.)

Mr. King moved adoption of the committee amendment.

Mr. Julin moved adoption of the following amendment to the committee amendment by Representatives Julin, Morrison, Planagan, Tilly, Kishimoto, Matthews, Benitz, Brown, Freeman, Curtis, Nelson, Hayner, Polk, Cunningham, Barnes, Rabel, Eikenberry, North (Lois), Hansey, Juelling, Gilleland, Wilson, Garrett, Newhouse, Leckenby and Berentson:

On page 1, line 3 of the committee amendment after "following:" strike the remainder of the amendment and insert:

"NEW SECTION. Section 1. The purpose and intent of the legislature in enacting this law is to carry out the will of the people to the extent constitutionally possible by providing for increases in the salaries of public officials in accordance with Initiative Measure No. 282, which measure was overwhelmingly approved at the November 1973 state general election.

In the event it is determined that any provision of this 1974 amendatory act would cause the salary of any public official to be unconstitutionally diminished during his term of office, it is the intention of the legislature that said provision shall not be applicable to the salary of said public official until the commencement of his next term of office.

Sec. 2. Section 43.03.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 100, Laws of 1967 ex. sess. and RCW 43.03.010 are each amended to read as follows:

The annual salaries of the following named state elected officials shall be: Governor, (~~thirty-two thousand five hundred~~) thirty-four thousand three hundred dollars; lieutenant governor, (~~ten thousand~~) ten thousand six hundred dollars; secretary of state, (~~fifteen thousand~~) fifteen thousand eight hundred dollars; state treasurer, (~~fifteen thousand~~) fifteen thousand eight hundred dollars; state auditor, (~~sixteen thousand five hundred~~) seventeen thousand four hundred dollars; attorney general, (~~twenty-three thousand~~) twenty-four thousand three hundred dollars; superintendent of public instruction, (~~twenty-two thousand five hundred~~) twenty-three thousand seven hundred fifty dollars; commissioner of public lands, (~~twenty thousand~~) twenty-one thousand one hundred dollars; state insurance commissioner, (~~sixteen thousand five hundred~~) seventeen thousand four hundred dollars; members of the legislature shall receive for their

service ((three thousand six hundred)) three thousand eight hundred dollars per annum; and in addition, ten cents per mile for travel to and from legislative sessions.

Sec. 3. Section 1, chapter 144, Laws of 1953 as last amended by section 2, chapter 106, Laws of 1973 and RCW 2.04.090 are each amended to read as follows:

Each justice of the supreme court shall receive an annual salary of ((thirty-three thousand)) thirty-four thousand eight hundred twenty-five dollars, but no salary warrant shall be issued to any judge of the supreme court until he shall have made and filed with the state treasurer an affidavit that no matter referred to him for opinion or decision has been uncompleted or undecided by him for more than six months.

Sec. 4. Section 6, chapter 221, Laws of 1969 ex. sess. as last amended by section 3, chapter 106, Laws of 1973 and RCW 2.06.060 are each amended to read as follows:

Each judge of the court shall receive an annual salary of ((thirty thousand)) thirty-one thousand six hundred fifty dollars, but no salary warrant shall be issued to any judge until he shall have made and filed with the state treasurer an affidavit that no matter referred to him for opinion or decision has been uncompleted by him for more than three months.

Sec. 5. Section 2, chapter 144, Laws of 1953 as last amended by section 3, chapter 100, Laws of 1972 ex. sess. and RCW 2.08.090 are each amended to read as follows:

Each judge of the superior court shall receive an annual salary of ((twenty-seven thousand)) twenty-eight thousand five hundred dollars.

Sec. 6. Section 100, chapter 299, Laws of 1961 as last amended by section 4, chapter 100, Laws of 1972 ex. sess. and RCW 3.58.010 are each amended to read as follows:

The annual salary of each full time justice of the peace shall be ((twenty-two)) twenty-three thousand two hundred and fifty dollars: PROVIDED, That in cities having a population in excess of five hundred thousand, the city which pays the salary may increase such salary of its municipal judges to an amount not more than the salary paid the superior court judges in the county in which the court is located: PROVIDED FURTHER, That no full time justice of the peace shall perform any civil marriage between 8:00 a.m. and 5:00 p.m. Monday through Friday.

NEW SECTION. Sec. 7. Section 110, chapter 137, Laws of 1973 1st ex. sess. is hereby repealed.

NEW SECTION. Sec. 8. If any provision of this 1974 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 9. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Mr. Julin spoke in favor of the amendment to the committee amendment.

Mr. Pardini demanded an electric roll call and the demand was sustained.

Debate ensued, Representatives Eikenberry, Morrison, Newhouse, Flanagan and Julin speaking in favor of the amendment to the committee amendment and Representatives Moon, Charette, Chatalas, Savage and Blair speaking against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Julin and others to the committee amendment to House Bill No. 1419, and the amendment was not adopted by the following vote: Yeas, 47; nays, 51; not voting, 0.

Voting yea: Representatives Amen, Barnes, Bender, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Eng, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Jueling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Lysen, Matthews, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Sommers, Tilly, Williams, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

The Speaker stated the question before the House to be the committee amendment to House Bill No. 1419.

Mr. King spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. King yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. King, I have two questions. One, an apparent defect in the bill on line 15 of the first page, where you strike January 1, 1974, and the thing just doesn't make sense. The other would be that you mentioned some bill coming along--where is that bill?"

Mr. King: "In response to the first question, I believe that in striking that, it is an effective date for the original act, so by amending that and taking that out, it would mean that it does not go into effect. I think that is the correct draftmanship there.

"In answer to the second question, both of those bills are now in the House Constitution and Elections Committee. There is a constitutional amendment which has passed the Senate and an implementing statute. We didn't get them in time to hold proper hearings; we did have them scheduled

for hearings with the proper notice, but that happened to be one of those days when we went on from the morning session into the afternoon and we had to cancel the meeting. It was my feeling that on a matter of that import because it was a constitutional amendment, that we ought to have some hearings on it and since constitutional amendments and implementing statutes are also allowed under our rules, there was ample time before the April session to consider them. I felt, however, that this measure ought to be taken now because it would give the court an opportunity to decide if the question that they were considering was moot or not, and that is the intent here."

Mr. Moon spoke against the committee amendment.

Mr. Van Dyk demanded an electric roll call, and the demand was sustained.

Representative Chatalas spoke in favor of the amendment, and Representatives Kuehnle, Kelley and Douthwaite spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment to House Bill No. 1419, and the amendment was adopted by the following vote: Yeas, 55; nays, 43; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Ehlers, Eikenberry, Ellis, Fortson, Freeman, Gaines, Gaspard, Goltz, Hansen, Hansey, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Morrison, North F., O'Brien, Paris, Parker, Perry, Pullen, Randall, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Blair, Bluechel, Brown, Charnley, Clemente, Curtis, Douthwaite, Eng, Erickson, Flanagan, Gallagher, Garrett, Gilleland, Haussler, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kelley, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Moon, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Rabel, Savage, Schumaker, Tilly, Williams, Wilson, Zimmerman.

On motion of Mr. King, the committee amendment to the title was adopted.

House Bill No. 1419 was ordered engrossed.

#### MOTION

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed House Bill No. 1419 be placed on final passage.

Mr. Van Dyk demanded an electric roll call, and the demand was sustained.

## PARLIAMENTARY INQUIRY

Mr. Pardini: "It is my understanding that the motion to bump will require a two-thirds vote of this body to place it on final passage. Will you tell me what vote is necessary to place on final passage?"

Mr. Speaker: "Sixty-six."

## ROLL CALL

The Clerk called the roll on the motion by Mr. Conner to advance Engrossed House Bill No. 1419 to third reading and final passage, and the motion was carried by the following vote: Yeas, 89; nays, 9; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bluechel, Flanagan, Hayner, Jueling, Kishimoto, Kuehnle, Schumaker, Wilson, Zimmerman.

The Speaker stated the question before the House to be Engrossed House Bill No. 1419 on final passage.

Debate ensued, Representatives Charette and Kalich speaking in favor of the bill, and Representatives Rabel, Pardini and Curtis speaking against it.

Mr. Thompson demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1419, and the bill failed to pass the House by the following vote: Yeas, 63; nays, 35; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Brown, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Ehlers, Eikenberry, Ellis, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Hayner, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Perry, Polk, Pullen, Randall, Shipoch,

Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Berentson, Blair, Bluechel, Charnley, Clemente, Curtis, Douthwaite, Eng, Flanagan, Garrett, Gilleland, Haussler, Hendricks, Honan, Juelling, Julin, Kelley, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Moon, North L., Pardini, Patterson, Rabel, Savage, Schumaker, Tilly, Williams, Wilson, Zimmerman.

Engrossed House Bill No. 1419, having failed to receive the constitutional majority, was declared lost.

#### MOTION

On motion of Mr. Charette, the House deferred consideration of HOUSE BILL NO. 779, and the bill was ordered held for the calendar of the next working day.

#### MOTIONS

On motion of Mr. Thompson, HOUSE JOINT RESOLUTION NO. 43 was rereferred to the Committee on Rules.

On motion of Mr. Thompson, HOUSE BILL NO. 1505 was rereferred to the Committee on Ways and Means - Revenue.

On motion of Mr. Thompson, the House deferred consideration of HOUSE BILL NO. 1185, and the bill was placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 1366, by Representatives Martinis, Perry, Berentson and Rabel:

Requiring adjustment of public works contracts affected by federal or state emergency petroleum regulation.

The bill was read the second time.

#### MOTION

On motion of Mr. Berentson, Substitute House Bill No. 1366 was substituted for House Bill No. 1366, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1366 was read the second time.

Mr. Perry moved adoption of the following amendment:

On page 2, section 1, line 2 strike "contractor's estimated" and insert "current market"

Representatives Perry and Berentson spoke in favor of the amendment, and it was adopted.

Mr. Perry moved adoption of the following amendment:

On page 2, section 1, line 27 after "costs" insert "over the contractor's estimated cost at the time of contract bid opening"

POINT OF INQUIRY

Mr. Perry yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Perry, I am concerned about the words 'contractor's estimated cost.' It would seem to me that having been involved in estimates, it would be difficult to establish the validity of what some contractor might present as having been his estimated costs. There are estimates and there are other estimates. Is there any way of pinning this thing down, possibly with tighter language?"

Mr. Perry: "I think this language does just that. It puts the burden of proof on the contractor to prove, for instance, that he has a bid item for gasoline or asphalt in the contract, and if he has it in his bid for \$15 per ton and it has escalated to \$60, he has a legitimate case. That's what this language applies to. If he has a profit in there and the material isn't up to that level, he can't claim anything even though he might have lost on another item. This makes him break down, item by item, the contract cost--his estimate at that time. That means, in effect, that if he bids for so many gallons of gasoline at such and such a price, he doesn't get it, and it's twice as much, he can recoup 80% of those costs. The Highway Department and the contractors have agreed to this language, to tighten up those particular sections that you refer to."

Mr. Leckenby: "Further, of course, there are only a limited number of contracts that will come under this act, but can we assume that the department will use due diligence in filtering out the unreasonable amounts for the estimated cost? There will have to be discussions between them and the contractor, and there may be some differences of opinion, is that right?"

Mr. Perry: "The proof is on the contractor. He has to show them the figures he used to estimate that cost. This is my understanding. What we are basically dealing with is material costs, because there hasn't been a massive escalation of labor costs. We're dealing with products such as asphalt and gasoline. Asphalt has just skyrocketed; so what we are dealing with here is that if the contractor put into the bid that the asphalt was worth x number of dollars per ton, then it goes up to 3 times that while he is bound under the contract, he then has to show the department how much he paid for that asphalt at the current prices--the price he purchased it under--then they will give him back 80%."

The amendment was adopted.

Substitute House Bill No. 1366 was ordered engrossed.



## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1366 was placed on final passage.

Mr. Pullen spoke against passage of the bill.

## POINT OF INQUIRY

Mr. Perry yielded to question by Mrs. Johnson.

Mrs. Johnson: "Representative Perry, I would like to know if your Transportation Committee in considering this matter has any idea of how many highway contracts and completion of roadways would be impaired if this measure does not pass?"

Mr. Perry: "Well, there are two things that would happen. One of them is that some of the people involved would just plain go broke, so then I don't know how you would resolve that, the bonding company would probably pay the state off. This is an extremely serious measure; a lot of the people involved are fairly small contractors coming from all over the state. Some of the contractors that could absorb the loss, would probably finish their work. Now to answer you specifically as to how many people would go broke, I think there is an appreciable number that would default because they were going broke and couldn't make it. Without this device they are obligated to continue right down to the bankruptcy court."

Representatives Leckenby and Bluechel spoke in favor of passage of the bill.

Mr. Kelley was excused from further business under the Call of the House.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1366, and the bill passed the House by the following vote: Yeas, 94; nays, 3; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson,

Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Johnson, Pullen, and Mr. Speaker.

Not voting: Representative Kelley.

Engrossed Substitute House Bill No. 1366, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### STATEMENT FOR THE JOURNAL

I voted against Engrossed Substitute House Bill No. 1366 because I felt that the measure was unconstitutional pursuant to Article I, section 23 of the Washington State Constitution, which provides that the legislature shall never pass any law impairing the obligations of contracts. Although I supported the intent of the bill, and I would like to provide for some sort of aid for those contractors beset by rising oil prices, I cannot, in good conscience, vote for a bill that I feel is unconstitutional.

KENT PULLEN, 47th District.

#### MOTIONS

On motion of Mr. Thompson, Engrossed Substitute House Bill No. 1366 was ordered transmitted immediately to the Senate.

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

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SUBSTITUTE HOUSE BILL NO.	10,
HOUSE BILL NO.	289,
SUBSTITUTE HOUSE BILL NO.	569,
SUBSTITUTE HOUSE BILL NO.	833,
HOUSE BILL NO.	931,
HOUSE BILL NO.	1044,
SUBSTITUTE HOUSE BILL NO.	1063,
HOUSE BILL NO.	1144,
HOUSE BILL NO.	1171,
HOUSE BILL NO.	1255,
HOUSE BILL NO.	1259,
SUBSTITUTE HOUSE BILL NO.	1268,
HOUSE BILL NO.	1282,
HOUSE BILL NO.	1420,
SUBSTITUTE HOUSE BILL NO.	1525,
SENATE BILL NO.	2572,
SENATE BILL NO.	3002,
SENATE BILL NO.	3055,
SENATE BILL NO.	3075,
SUBSTITUTE SENATE BILL NO.	3117,
SENATE BILL NO.	3130,

SENATE BILL NO. 3144,  
SENATE BILL NO. 3159,  
SENATE BILL NO. 3366,  
SENATE JOINT MEMORIAL NO. 106.

## MOTION

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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AFTERNOON SESSION  
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The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present, except Representative Kelley who was excused.

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

Mr. Thompson demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Kelley.

## MOTION

On motion of Mr. Thompson, the absent member was excused, and the House proceeded with business under the Call of the House.

## MOTION

Mr. Thompson moved that the House immediately consider ENGROSSED SUBSTITUTE SENATE BILL NO. 3020 after consideration of Engrossed Senate Joint Resolution No. 140.

## SECOND READING

ENGROSSED SENATE JOINT RESOLUTION NO. 140, by Senators Grant and Metcalf:

Amending the constitutional veto power of the governor (SSJR 104).

The resolution was read the second time.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendment, see Journal for twenty-sixth day, 3rd ex. sess., February 8, 1974.)

Mr. King moved adoption of the committee amendment, and spoke against his motion.

Mr. Eikenberry spoke against the motion.

#### POINT OF ORDER

Mr. Newhouse: "I believe the motion made was that the committee amendment be not adopted?"

The Speaker: "No, he said the committee amendment be adopted, and then he spoke against his own motion."

The committee amendment was not adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Joint Resolution No. 140 was placed on final passage.

Mr. Pardini demanded an oral roll call and the demand was sustained.

Representatives Eikenberry and King spoke in favor of the resolution, and Representatives Julin, Newhouse and Brown spoke against it.

Mr. Conner demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Joint Resolution No. 140, and the resolution passed the House by the following vote: Yeas, 66; nays, 31; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Curtis, Flanagan, Gilleland, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Rabel, Tilly, Williams, Zimmerman.

Not voting: Representative Kelley.

Engrossed Senate Joint Resolution No. 140, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Charette, Engrossed Senate Joint Resolution No. 140 was ordered transmitted immediately to the Senate.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3020, by Committee on Ways and Means (Originally sponsored by Senators Atwood, Donohue and Odegaard - by Executive request):

Enacting a supplemental budget.

The bill was read the second time.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see Reports of Standing Committees, morning session.)

Mr. Bagnariol moved adoption of the committee amendment.

Mr. Flanagan moved adoption of the following amendment to the committee amendment by Representatives Flanagan, Kishimoto, Hendricks, Curtis, Newhouse, Eikenberry, Nelson, Patterson, North (Lois), Benitz, Bluechel, Honan, Morrison, Berentson, Pardini, Kuehne, Hansey, Kopet, Leckenby, Tilly, Julin, Barnes, Polk, Garrett and Hoggins:

On page 2, section 7, line 18 after "2,093,815" insert "General Fund Appropriation: PROVIDED, That these funds shall be distributed to local governments to reimburse them for revenue losses resulting from the elimination of the sales tax on prescription drugs effective April, 1974 and the effect of the phaseout of the inventory tax on regular levies collectible in calendar 1975: PROVIDED FURTHER, That the State Treasurer shall make such distributions based upon State Department of Revenue computations as to the amount of loss for each unit of local government..... \$2,210,000"

Mr. Flanagan spoke in favor of the amendment to the committee amendment, and Mr. Bagnariol spoke against it.

Mr. Pardini demanded an electric roll call, and the demand was sustained.

Mr. Curtis spoke in favor of the amendment to the committee amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Flanagan and others to the committee

amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 41; nays, 56; not voting, 1.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Jueling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Kopet moved adoption of the following amendment to the committee amendment by Representatives Kopet and Leckenby:

On page 4, section 13, line 10 after "\$" strike "450,000" and insert "103,325"

Mr. Kopet spoke in favor of the amendment to the committee amendment, and Mr. Bagnariol spoke against it.

Mr. Leckenby spoke in favor of the amendment to the committee amendment.

Mr. Pardini demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Kopet and Leckenby to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 41; nays, 56; not voting, 1.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Jueling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen,

Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Pardini moved adoption of the following amendment to the committee amendment by Representatives Pardini and Newhouse:

Beginning on page 4, line 29, strike everything down to and including "\$130,000" on line 2 of page 6 and insert:

"NEW SECTION. Sec. 18. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES:

General Fund Appropriation: PROVIDED, That \$15,035,730 is from state funds, \$135,834 is from local funds, and \$33,281,840 is from federal funds: PROVIDED, That \$3,072,876 from local funds presently available within the public health program for Firland Hospital remains unexpended at the end of the 1973-75 biennium: PROVIDED FURTHER, That this appropriation shall be expended for the following purposes.....\$48,453,404

Adult Corrections and Rehabilitation.....\$ 2,226,220

Juvenile Rehabilitation.....\$ 280,137

Mental Health.....\$ 5,189,250

Developmental Disabilities: PROVIDED, That the Department of Social and Health Services shall allocate \$50,000 or so much thereof as is necessary to implement the Department of Personnel salary survey findings for the Schools for the Blind and Deaf in compliance with the recommendations presented at the August 7, 1970 Personnel Board meeting.....\$ 5,769,044

Veterans' Services: PROVIDED, That this amount or so much thereof as shall be necessary along with available local funds shall be used to add nursing and medical related staffing at the State Veterans' Home and the State Soldiers' Home so as to meet the state licensing standards for domiciliary and nursing home facilities.....\$ 525,209

Income Maintenance, Community Social Services, Medical Assistance: PROVIDED, That \$3,500,000 of this appropriation shall be used to provide reimbursement to nursing homes for purchase of restorative services for nursing home patients: PROVIDED FURTHER, That \$1,000,000 of this appropriation shall be used to increase state rates for reimbursement for nursing home services to establish minimum wage scales for nursing home personnel effective July 1, 1974, pursuant to Department of Social and Health Services regulations: PROVIDED, That notwithstanding the provisions of chapter 139, Laws of 1973 1st ex. sess., the department shall establish nursing home accounting and

reimbursement systems which recognize relevant cost related factors for the Department of Social and Health Services patients, including but not limited to the scope or level of services or care, requirements of staff, and physical plant, and which may include a reasonable rate of return on investment; said formula shall provide that no payments shall be made to a nursing home which does not permit inspection by the Department of Social and Health Services of every part of its premises and an examination of all records, including financial records, methods of administration, general and special dietary programs, the disbursement of drugs and methods of supply, and any other records the department deems relevant to the establishment of such systems.....\$33,009,028

Public Health.....\$ 151,055  
 Administration and Supporting Services:

PROVIDED, That the Department shall explore the cost effectiveness of utilizing vendor services for medical assistance data processing, but shall not enter into any contract for such services without the approval of the Senate and House Ways and Means Committees: PROVIDED FURTHER, That where the assistance being provided on the date the person attains the age of eighteen is in the form of child welfare services resulting from a juvenile court order the department shall, in lieu of general assistance payments, continue the child welfare services through the end of the school year immediately following the person's eighteenth birthday if the person otherwise qualifies for such services.....\$1,303,461

General Fund Appropriation for Capital improvements required to certify schools for the retarded as skilled nursing homes.....\$ 650,000

General Fund Appropriation for Capital Improvements at the State Veterans' Home and the State Soldiers' Home required to meet state fire and safety standards: PROVIDED, That the Department shall collect a like amount of federal funds to support other programs and leave unexpended a like amount of state general fund support.....\$2,000,000"  
 Renumber the following sections consecutively.

Representatives Pardini and Kraabel spoke in favor of the amendment to the committee amendment, and Mr. Bagnariol spoke against it.

Mr. Morrison demanded an electric roll call and the demand was sustained.



Mr. Kopet spoke in favor of the amendment to the committee amendment, and Mr. Shinpoch spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Pardini and Newhouse to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 42; nays, 55; not voting, 1.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charney, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Matthews moved adoption of the following amendment to the committee amendment:

On page 5, section 18, line 30 following "1974:" insert "PROVIDED, That all homes providing such minimum nursing care shall conform to ICF Regulations of the Federal Title 19 Program, and:"

Mr. Matthews spoke in favor of the amendment.

Mr. Ceccarelli demanded that an electric roll call be taken on all proposed amendments to Engrossed Substitute Senate Bill No. 3020, and the demand was sustained.

Mr. Shinpoch spoke against the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Matthews to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 34; nays, 63; not voting, 1.

Voting yea: Representatives Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Freeman, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Honan moved adoption of the following amendment to the committee amendment:

On page 6, section 18, line 3 add a new paragraph to read as follows:

"General Fund Appropriation for Capital Improvements at the State Veterans' Home and the State Soldiers' Home required to meet state fire and safety standards.....\$2,000,000"

Mr. Honan spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Honan to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 58; nays, 59; not voting, 1.

Voting yea: Representatives Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Conner, Cunningham, Curtis, Eikenberry, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julian, Kishimoto, Kopet, Kraabel, Leckenby, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Zimmerman moved adoption of the following amendment by Representatives Zimmerman and Laughlin to the committee amendment:

On page 6, line 12 add a new section to read as follows:

"NEW SECTION. Sec. 21. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

General Fund Appropriation: PROVIDED, That this appropriation be used by the Economic Assistance Authority for emergency projects throughout the state.....\$ 150,000"

Mr. Shinpoch spoke against the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Zimmerman and Laughlin to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 26; nays, 71; not voting, 1.

Voting yea: Representatives Amen, Benitz, Berentson, Bluechel, Conner, Curtis, Gaines, Gilleland, Hoggins, Honan, Juelling, Kishimoto, Kopet, Kraabel, Laughlin, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Pullen, Rabel, Schumaker, Tilly, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Julin, Kalich, Kilbury, King, Knowles, Kuehnle, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Patterson, Perry, Polk, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Amen moved adoption of the following amendment by Representatives Amen and Zimmerman to the committee amendment:

On page 12, section 34, line 22 after "year:" insert "PROVIDED, That \$2,685,816 shall be used solely for the reimbursement to local school districts for increased transportation costs;"

Mr. Amen spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Amen and Zimmerman to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 36; nays, 61; not voting, 1.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kraabel, Kuehnle, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Luders moved adoption of the following amendments by Representatives Luders and Hoggins to the committee amendment:

On page 13, line 16 after "25:" and before "PROVIDED" insert "PROVIDED, That \$1,148,325 is included for allocation to local school districts outside the school apportionment formula during the 1973-74 school year for the purpose of funding the difference between funds received to date and hereafter through the school apportionment formula for continuation of the \$40 per month salary increase provided for classified employees February 1, 1973 and the amount necessary for such continuation:"

On page 14, line 31 strike "\$114,627,017" and insert "\$115,775,342"

Mr. Luders spoke in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Luders and Hoggins to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendments were adopted by the following vote: Yeas, 96; nays, 1; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Blair.

Not voting: Representative Kelley.

Mr. Luders moved adoption of the following amendment to the committee amendment by Representatives Luders and Hoggins:

On page 16, line 11 insert a new section as follows:

"NEW SECTION, Sec. 38. FOR  
SUPERINTENDENT OF PUBLIC INSTRUCTION  
There is hereby reappropriated the following sum from chapter 137, subsection 86, Laws of 1973, 1st ex. sess., for allocation to local school districts through the school apportionment formula for the purposes of continuing, during the 1973-75 biennium a state-wide average \$40 per month salary increase provided for classified employees February 1, 1973 and such additional per full-time classified employee increases (prorated for part-time) as are funded by such allocation, all as heretofore done by the state Superintendent and hereby approved.....\$ 19,114,368"  
Renumber the remaining sections consecutively.

Mr. Luders spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Luders and Hoggins to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was adopted by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Kuehnle moved adoption of the following amendment to the committee amendment:

On page 17 strike all of section 41 and renumber the remaining sections consecutively.

Mr. Kuehnle spoke in favor of the amendment, and Representatives Shinpoch, Hendricks, Zimmerman and Goltz spoke against it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Kuehnle to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 8; nays, 89; not voting, 1.

Voting yea: Representatives Amen, Benitz, Eikenberry, Flanagan, Hurley, Jueling, Kuehnle, Schumaker.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Jastad, Johnson, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Kraabel moved adoption of the following amendment to the committee amendment by Representatives Kraabel and Douthwaite:

On page 17, line 26 add a new section to read as follows:

"NEW SECTION. Sec. 41. FOR THE DEPARTMENT OF ECOLOGY General Fund Appropriation: PROVIDED, That the department of ecology is directed to conduct studies of noise levels throughout the state and to report back to the legislature with recommendations in the session beginning in January of 1975.....\$ 118,573"  
Renumber the remaining sections consecutively.

Mr. Kraabel spoke in favor of the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Kraabel and Douthwaite to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 33; nays, 64; not voting, 1.

Voting yea: Representatives Barnes, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Cunningham, Douthwaite, Eikenberry, Fortson, Hendricks, Hoggins, Honan, Hurley, Jueling, Julin, Kishimoto, Kraabel, Kuehnle, Matthews, Moon, Nelson, North L., Pardini, Perry, Pullen, Rabel, Smith, Sommers, Williams, Wojahn, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Charette, Clemente, Conner, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett,

Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Morrison, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Polk, Randall, Savage, Schumaker, Shinpoch, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Ehlers moved adoption of the following amendment to the committee amendment:

On page 17, section 40, line 7 after "purposes" strike the remainder of the section and insert the following  
": PROVIDED HOWEVER, That no Federal funds shall be expended unless authorized by the Senate and House Ways and Means Committees of the legislature:  
PROVIDED FURTHER, That \$863,000 of the State General Funds contained within the currently approved appropriation prescribed by chapter 195, Laws of 1973, 1st ex. sess. shall be held in unallotted status and against which no expenditures or commitments shall be made pending the determination by the Office of Program Planning and Fiscal Management and the House and Senate Ways and Means Committees as to whether or not Federal funds can be authorized in lieu of the \$863,000 appropriation of state funds..... \$ 3,005,353"

Representatives Ehlers and Haussler spoke in favor of the amendment to the committee amendment.

POINT OF INQUIRY

Mr. Ehlers yielded to question by Mr. Julin.

Mr. Julin: "Am I correct, Representative Ehlers, that this amendment which you are proposing, would in effect, negate the action that the Ways and Means Committee took in support of your amendment in the same area yesterday and take that money that we put into the library system out of it?"

Mr. Ehlers: "I believe that was Mr. Zimmerman's amendment yesterday, but in any case, what it does is leave in the rest of the money to be decided in April. The only item left now remaining in the budget for expenditure at this time would be that \$1,336,000."

Representatives Zimmerman, Shinpoch and Curtis spoke against the amendment to the committee amendment, and Mr. Charette spoke in favor of it.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Ehlers to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was adopted by the following vote: Yeas, 58; nays, 39; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Johnson, Juelling, Kalich, Kilbury, King, Knowles, Kuehne, Luders, Lysen, Martinis, Maxie, McCormick, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Schumaker, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Cunningham, Curtis, Eikenberry, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Julin, Kishimoto, Kopet, Kraabel, Laughlin, Leckenby, Matthews, May, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Rabel, Shinpoch, Tilly, Zimmerman.

Not voting: Representative Kelley.

Mr. Pardini moved adoption of the following amendment by Representatives Pardini and Hendricks to the committee amendment:

On page 19, line 24 after "\$1,467,000" insert the following:

"NEW SECTION. Sec. 45. FOR THE GOVERNOR -- SPECIAL APPROPRIATIONS.

General Fund Appropriations: For additional contribution to employee health insurance to be allotted to those agencies whose employees are all or in part within the present system of the State Personnel Board, judicial agencies, institutions of higher education and for insurance benefits for local school district employees as provided by law: PROVIDED, That payment from these funds shall be utilized to provide up to \$25 per month for state employees and employees of the state institutions of higher education effective July 1, 1974 and up to \$20 per month for local school district employees effective September 1, 1974: PROVIDED, That the respective local districts contribute not less than an additional \$5 per month for such employees from local funds.....\$4,841,491

Special Fund Health Benefits Increase Revolving Fund

Appropriation: There is hereby created in the state treasury the Special Fund Health Benefits Increase Revolving Fund which shall be used solely to facilitate payment of state employee health benefit increases from special funds, and the



State Treasurer is hereby directed to transfer sufficient revenue from each special fund to the Special Fund Health Benefits Increase Revolving Fund, in accordance with schedules provided by the Office of Program Planning and Fiscal Management, as required for additional contribution to employee health insurance to be allotted to those agencies whose employees are all or in part within the present system of the State Personnel Board, judicial agencies, and institutions of higher education: PROVIDED, That payment from these funds shall be utilized to provide up to \$25 per month for state employees and employees of the state institutions of higher education effective July 1, 1974.....\$ 653,970"

Renumber the remaining sections consecutively.

Representatives Pardini and Hendricks spoke in favor of the amendment to the committee amendment, and Mr. Bagnariol spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Pardini and Hendricks to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 29; nays, 68; not voting, 1.

Voting yea: Representatives Barnes, Bausch, Berentson, Charnley, Cunningham, Curtis, Douthwaite, Gaines, Gilleland, Hansey, Hendricks, Hoggins, Honan, Juelling, Kishimoto, Kopet, Kraabel, Matthews, Nelson, North L., Pardini, Paris, Patterson, Pullen, Rabel, Savage, Schumaker, Warnke, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hayner, Hurley, Jastad, Johnson, Julin, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Parker, Perry, Polk, Randall, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Hendricks moved adoption of the following amendment to the committee amendment by Representatives Hendricks, Kishimoto, Hoggins, Honan, Pardini, Juelling, Schumaker, Zimmerman and Tilly:

On page 21, section 45, line 27 after "\$1,743,108" insert the following:

"General Fund Appropriation: Notwithstanding the provisions of RCW 43.03.060 relative to the maximum limit for reimbursement of

mileage expense for the fiscal biennium ending June 30, 1975, this Appropriation shall be used to provide effective March 1, 1974, an increase to 13 cents per mile the rate of reimbursement received by state employees for use of private automobiles in carrying out official duties.....\$ 589,536  
 Special Fund Mileage Reimbursement Revolving Fund  
 Appropriation:

There is hereby created in the state treasury the Special Fund Mileage Reimbursement Revolving Fund which shall be used solely to facilitate payment of reimbursements to state employees for use of private automobiles in carrying out official duties at the rate of 13 cents per mile effective March 1, 1974 and the state treasurer is hereby directed to transfer sufficient revenue from each special fund to the Special Fund Mileage Reimbursement Revolving Fund, in accordance with schedules provided by the Office of Program Planning and Fiscal Management.....\$ 714,748"

Representatives Hendricks and Schumaker spoke in favor of adoption of the amendment, and Representatives O'Brien and Bagnariol spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hendricks and others to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 24; nays, 72; not voting, 2.

Voting yea: Representatives Bausch, Berentson, Bluechel, Curtis, Gilleland, Hansey, Hendricks, Hoggins, Honan, Juelling, Kishimoto, Kopet, Kraabel, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Rabel, Schumaker, Tilly, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Beck, Bender, Benitz, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hayner, Hurley, Jastad, Johnson, Julin, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Brown, Kelley.

Mr. O'Brien assumed the Chair.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly, Flanagan and Garrett to the committee amendment:

On page 22, section 47, line 21 after "~~(22,448,248)~~" strike "21,655,934" and insert "21,735,921"

Representatives Tilly, Pardini, Goltz and Hansey spoke in favor of the amendment to the committee amendment, and Representatives Shinpoch and Van Dyk spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Tilly, Flanagan and Garrett to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 34; nays, 63; not voting, 1.

Voting yea: Representatives Barnes, Berentson, Bluechel, Charnley, Curtis, Douthwaite, Ellis, Flanagan, Garrett, Gilleland, Goltz, Hansen, Hansey, Hendricks, Hoggins, Honan, Juelling, Kishimoto, Kopet, Kraabel, Laughlin, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Pullen, Rabel, Schumaker, Tilly, Williams, Wilson.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Ehlers, Eikenberry, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Haussler, Hayner, Hurley, Jastad, Johnson, Julin, Kalich, Kilbury, King, Knowles, Kuehne, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Perry, Polk, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Polk moved adoption of the following amendment to the committee amendment:

On page 23, section 49, line 12 after "Account" insert a new subsection as follows:

"(1) For an inflationary adjustment to 1973 approved projects. No expenditure shall be made until individual project review by Office of Program Planning and Fiscal Management.....\$ 2,465,778"

Renumber the remaining subsections consecutively.

Mr. Polk spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 28; nays, 69; not voting, 1.

Voting yea: Representatives Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Curtis,

Douthwaite, Freeman, Gaines, Garrett, Hoggins, Julin, King, Kishimoto, Kraabel, Morrison, Nelson, Newhouse, Pardini, Paris, Polk, Pullen, Rabel, Schumaker, Williams, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Patterson, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Smith moved adoption of the following amendment by Representatives Smith, Beck and Honan:

On page 26, section 51, line 18 after "\$280,000" insert a new subsection

"(2) For capital construction  
and improvements at Minter Creek  
Hatchery,.....\$ 200,000."

Representatives Smith and Honan spoke in favor of the amendment to the committee amendment and Mr. Kopet spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Smith, Beck and Honan to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 48; nays, 49; not voting, 1.

Voting yea: Representatives Adams, Anderson, Beck, Bender, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hendricks, Hoggins, Honan, Johnson, Juelling, Kilbury, King, Kraabel, Laughlin, Lysen, Martinis, Maxie, Moon, Nelson, North F., Parker, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Thompson, Valle, Van Dyk, Williams, Wojahn.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bauer, Bausch, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Cunningham, Curtis, Douthwaite, Eikenberry, Eng, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hurley, Jastad, Julin, Kalich, Kishimoto, Knowles, Kopet, Kuehnle, Leckenby, Luders, Matthews, May, McCormick, Morrison, Newhouse, North L., O'Brien, Pardini, Paris, Patterson, Polk, Sommers, Tilly, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Kuehnle moved adoption of the following amendment to the committee amendment:

On page 27, line 22 strike section 55 and renumber the remaining sections consecutively.

Representative Kuehnle spoke in favor of the amendment, and Representatives Charette, Rabel, Beck, Bausch and Hendricks spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kuehnle to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment failed by the following vote: Yeas, 25; nays, 72; not voting, 1.

Voting yea: Representatives Amen, Bagnariol, Barnes, Benitz, Berentson, Ceccarelli, Cunningham, Eikenberry, Flanagan, Freeman, Gallagher, Gilleland, Hansen, Hansey, Haussler, Hayner, Hurley, Juelling, Kuehnle, Lysen, Parker, Perry, Schumaker, Smith, Williams.

Voting nay: Representatives Adams, Anderson, Bauer, Bausch, Beck, Bender, Blair, Bluechel, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Garrett, Gaspard, Goltz, Hendricks, Hoggins, Honan, Jastad, Johnson, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Bluechel moved adoption of the following amendment to the committee amendment by Representatives Bluechel and Zimmerman:

On page 27, line 28 after "5,720,180" insert a new section as follows:

"NEW SECTION. Sec. 56. FOR THE WASHINGTON FUTURE PROGRAM appropriated to:  
DEPARTMENT OF ECOLOGY

General fund--State and Local Improvement  
Revolving Account--Waste Disposal Facilities:  
Appropriated pursuant to the provisions of chapter 127, Laws of 1972 ex. sess., (Referendum 26), for up to fifteen percent of the overall cost of any project except that (1) the state portion of solid waste management, lake rehabilitation, or irrigation return flows may be as much as fifty percent; (2) the state may provide one hundred percent of the costs necessary to meet the conditions required to receive federal funds; and (3) the state may loan one hundred percent of the eligible costs of pre-construction activities.....\$ 29,623,000

General Fund--State and Local Improvements  
Revolving Account--Water Supply Facilities:  
Appropriated pursuant to the provisions of chapter 128, Laws of 1972 ex. sess. (Referendum 27): PROVIDED, That (1)

The state portion of water supply projects may be as much as fifty percent; (2) the state may provide one hundred percent of the costs necessary to meet the conditions required to receive federal funds; and (3) the state may loan one hundred percent of the eligible costs of preconstruction activities.....\$ 6,430,688"  
 Renumber the remaining sections consecutively.

Representatives Bluechel and Zimmerman spoke in favor of the amendment, and Representatives Bagnariol and Shinpoch spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Bluechel and Zimmerman to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 22; nays, 75; not voting, 1.

Voting yea: Representatives Berentson, Blair, Bluechel, Brown, Charnley, Curtis, Douthwaite, Gaines, Gallagher, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Luders, Matthews, Pardini, Pullen, Schumaker, Sommers, Tilly, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kraabel, Leckenby, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Shinpoch, Smith, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Kuehnle moved adoption of the following amendment to the committee amendment by Representatives Kuehnle, Berentson and Haussler:

On page 28, section 56, line 2 after "grants" and before the period insert ": PROVIDED FURTHER, That where assistance is being provided in the form of child welfare services resulting from a juvenile court order and the recipient person attains the age of eighteen, the department shall, in lieu of general assistance payments, continue the child welfare services through the end of the school year immediately following the recipient person's eighteenth birthday if the recipient person otherwise qualifies for such services"

Representatives Kuehnle and Shinpoch spoke in favor of the amendment to the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Kuehnle, Berentson and Haussler to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was adopted by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Kelley.

Mr. Shinpoch moved adoption of the following amendment to the committee amendment:

On page 28 of the printed committee amendment, on line 7 insert the following new section:

"NEW SECTION. Sec. 58. (1) Notwithstanding the provisions of chapter 139, Laws of 1973 1st ex. sess., the department of social and health services shall establish nursing home accounting and reimbursement systems which recognize relevant cost related factors for department of social and health services patients, including but not limited to the scope or level of services or care, requirements of staff, and physical plant, and which may include a reasonable rate of return on investment; said formula shall provide that no payments shall be made to a nursing home which does not permit inspection by the department of social and health services of every part of its premises and an examination of all records, including financial records, methods of administration, general and special dietary programs, the disbursement of drugs and methods of supply, and any other records the department deems relevant to the establishment of such system: PROVIDED FURTHER, That such reimbursement system shall not take effect until the department has specified staffing and other relevant treatment standards for the various classes of nursing homes and projected the costs associated with the establishment of such standards, and such standards and cost projections have been approved by the Ways and Means Committees of the House and Senate: AND PROVIDED FURTHER, That after such approval, the department shall file with the Ways and Means Committees of the House and Senate at least quarterly a report of the progress achieved in meeting such standards throughout the state and the actual costs incurred thereby.

(2) The department of social and health services shall explore the cost effectiveness of utilizing vendor services for medical assistance data processing, but shall not enter into any contract for such services without the approval of the Senate and House Ways and Means Committees."

Renumber the remaining sections consecutively.

Representatives Shinpoch and Kopet spoke in favor of the amendment, and Mr. Matthews spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Shinpoch to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was adopted by the following vote: Yeas, 92; nays, 5; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Cunningham, Julin, Matthews, Polk.

Not voting: Representative Kelley.

Mr. Lysen moved adoption of the following amendment:

On page 31, line 24 insert a new section as follows:

"Sec. 66. Section 62, chapter 137, Laws of 1973 1st ex. sess. are each amended to read as follows:

#### FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation: PROVIDED,  
That \$767,000 of the appropriation shall be expended as matching funds for activated air pollution control authorities and if such authorities do not match these funds during the 1973-75 biennium in an amount equal to the amount appropriated by this proviso, then the unexpended state funds shall revert to the department of ecology and it is the intent of the legislature that no additional job positions be created by activated air pollution control authorities with funds available from this proviso: PROVIDED FURTHER, That in order to prevent unnecessary expenditures it is the intent of the legis-



lature that the department make use of the air monitoring and surveillance capabilities of activated air pollution control authorities wherever possible: AND PROVIDED FURTHER, That the department shall recommend to the Federal Environmental Protection Agency that only up to \$700,000 of available air pollution control grant funds be given to the department for the 1973-75 fiscal biennium and that all other available grant funds be given to activated air pollution control authorities in the state..... \$ 13,573,988"  
 Renumber the remaining sections consecutively.

Mr. Lysen spoke in favor of the amendment and Mr. Kopet spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Lysen to the committee amendment to Engrossed Substitute Senate Bill No. 3020, and the amendment was adopted by the following vote: Yeas, 64; nays, 33; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hayner, Hoggins, Jastad, Johnson, Kalich, Kilbury, King, Kraabel, Laughlin, Lysen, Martinis, Maxie, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Bluechel, Curtis, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hendricks, Honan, Hurley, Jueling, Julin, Kishimoto, Knowles, Kopet, Kuehne, Leckenby, Luders, Matthews, May, Nelson, Parker, Patterson, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Not voting: Representative Kelley.

Mr. Kopet moved adoption of the following amendment to the committee amendment to Engrossed Substitute Senate Bill No. 3020 by Representatives Kopet, Pardini, Curtis, Morrison and Newhouse:

Strike the House Committee Amendment in its entirety and then strike everything after the enacting clause of the printed engrossed substitute bill and insert the following:

"NEW SECTION. Section 1. That the following appropriations are hereby adopted and subject to the provisions set forth in the following sections or so much thereof as shall be sufficient to accomplish the purposes designated are hereby appropriated and authorized to be disbursed by the designated agencies and offices of the state and for other specified purposes, including operations and capital improvements, for the fiscal

biennium beginning July 1, 1973, and ending June 30, 1975, except as otherwise provided, out of the several funds of the state hereinafter named.

<u>NEW SECTION.</u> Sec. 2. FOR THE SUPERIOR COURT JUDGES	
General Fund Appropriation .....	\$ 15,100
<u>NEW SECTION.</u> Sec. 3. FOR THE STATE EMPLOYEES' INSURANCE BOARD	
State Employees' Insurance Revolving Fund	
Appropriation .....	\$ 48,569
<u>NEW SECTION.</u> Sec. 4. FOR THE PUBLIC DISCLOSURE COMMISSION	
General Fund Appropriation .....	\$ 190,242
<u>NEW SECTION.</u> Sec. 5. FOR THE GOVERNOR'S INDIAN ADVISORY COUNCIL	
General Fund Appropriation .....	\$ 116,626
<u>NEW SECTION.</u> Sec. 6. FOR THE ASIAN-AMERICAN ADVISORY COUNCIL	
General Fund Appropriation .....	\$ 57,126
<u>NEW SECTION.</u> Sec. 7. FOR THE WASHINGTON STATE WOMEN'S COUNCIL	
General Fund Appropriation .....	\$ 58,556
<u>NEW SECTION.</u> Sec. 8. FOR THE STATE TREASURER	
State Treasurer's Service Fund Appropriation	\$ 152,016
War Veterans' Compensation Fund Appropriation	\$ 2,093,815
General Fund Appropriation: PROVIDED,	
That these funds shall be distributed to local governments to reimburse them for revenue losses resulting from the elimination of the sales tax on prescription drugs effective April, 1974 and the effect of the phase out of the inventory tax on regular levies collectible in calendar 1975:	
PROVIDED FURTHER, That the State Treasurer shall make such distributions based upon State Department of Revenue computations as to the amount of loss for each unit of local government .....	
	\$ 2,210,000
<u>NEW SECTION.</u> Sec. 9. FOR THE WASHINGTON STATE DATA PROCESSING AUTHORITY	
General Fund Appropriation: PROVIDED,	
That \$250,000 of this appropriation shall be used for capitalization of a Data Processing Revolving Fund .....	
	\$ 525,700
<u>NEW SECTION.</u> Sec. 10. FOR THE COMMISSION ON MEXICAN-AMERICAN AFFAIRS	
General Fund Appropriation .....	\$ 35,724
<u>NEW SECTION.</u> Sec. 11. FOR THE DEPARTMENT OF REVENUE	
General Fund Appropriation .....	\$ 187,004
<u>NEW SECTION.</u> Sec. 12. FOR THE UNIFORM LEGISLATION COMMISSION	
General Fund Appropriation .....	\$ 2,400
<u>NEW SECTION.</u> Sec. 13. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION	
General Fund Appropriation For Operations ...	\$ 109,718

NEW SECTION. Sec. 14. FOR THE BOARD OF ACCOUNTANCY  
 General Fund Appropriation ..... \$ 6,000

NEW SECTION. Sec. 15. FOR THE LIQUOR CONTROL BOARD  
 Liquor Board Revolving Fund Appropriation ... \$ 174,369

NEW SECTION. Sec. 16. FOR THE MILITARY DEPARTMENT  
 General Fund Appropriation ..... \$ 146,125

NEW SECTION. Sec. 17. FOR THE HIGHER EDUCATION PERSONNEL BOARD  
 Higher Education Personnel Board Service Fund  
 Appropriation: PROVIDED, That the additional employees added by these moneys will terminate by June 30, 1975 ..... \$ 149,000

NEW SECTION. Sec. 18. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES  
 General Fund Appropriation: PROVIDED, That \$15,035,730 is from state funds, \$135,834 is from local funds, and \$33,281,840 is from federal funds; PROVIDED, That \$3,072,876 from local funds presently available within the public health program for Firland Hospital remains unexpended at the end of the 1973-75 biennium: PROVIDED FURTHER, That this appropriation shall be expended for the following purposes ... \$ 48,453,404  
 Adult Corrections and Rehabilitation ..... \$ 2,226,220  
 Juvenile Rehabilitation ..... \$ 280,137  
 Mental Health ..... \$ 5,189,250

Developmental Disabilities: PROVIDED, That the Department of Social and Health Services shall allocate \$50,000 or so much thereof as is necessary to implement the Department of Personnel salary survey findings for the Schools for the Blind and Deaf in compliance with the recommendations presented at the August 7, 1970 Personnel Board meeting ..... \$ 5,769,044

Veterans' Services: PROVIDED, That this amount or so much thereof as shall be necessary along with available local funds shall be used to add nursing and medical related staffing at the State Veterans' Home and the State Soldiers' Home so as to meet state licensing standards for domiciliary and nursing home facilities ..... \$ 525,209

Income Maintenance, Community Social Services, Medical Assistance: PROVIDED, That \$3,500,000 of this appropriation shall be used to provide reimbursement to nursing homes for purchase of restorative services for nursing home patients: PROVIDED FURTHER, That \$1,000,000 of this appropriation shall

be used to increase state rates for reimbursement for nursing home services to establish minimum wage scales for nursing home personnel effective July 1, 1974, pursuant to Department of Social and Health Services regulations: PROVIDED, That notwithstanding the provisions of chapter 139, Laws of 1973 1st ex. sess., the department shall establish nursing home accounting and reimbursement systems which recognize relevant cost related factors for Department of Social and Health Services patients, including but not limited to the scope or level of services or care, requirements of staff, and physical plant, and which may include a reasonable rate of return on investment; said formula shall provide that no payments shall be made to a nursing home which does not permit inspection by the department of social and health services of every part of its premises and an examination of all records, including financial records, methods of administration, general and special dietary programs, the disbursement of drugs and methods of supply, and any other records the department deems relevant to the establishment of such system .....

\$ 33,009,028

Public Health ..... \$ 151,055

Administration and Supporting Services:

PROVIDED, That the Department shall explore the cost effectiveness of utilizing vendor services for medical assistance data processing, but shall not enter into any contract for such services without the approval of the Senate and House Ways and Means Committees: PROVIDED FURTHER, That where the assistance being provided on the date the person attains the age of eighteen is in the form of child welfare services resulting from a juvenile court order the department shall, in lieu of general assistance payments, continue the child welfare services through the end of the school year immediately following the person's eighteenth birthday if the person otherwise qualifies for such services .....

\$ 1,303,461

General Fund Appropriation

For capital improvements required to certify schools for the retarded

as skilled nursing homes .....	\$	650,000
General Fund Appropriation		
For Capital Improvements at the State		
Veterans' Home and the State		
Soldiers' Home required to meet		
state fire and safety standards:		
PROVIDED, That an equal amount		
of federal funds is received for		
other programs within the department .....	\$	2,000,000
<u>NEW SECTION.</u> Sec. 19. FOR THE		
HUMAN RIGHTS COMMISSION		
General Fund Appropriation .....	\$	50,000
<u>NEW SECTION.</u> Sec. 20. FOR THE BOARD		
OF PRISON TERMS AND PAROLES		
General Fund Appropriation .....	\$	210,140
<u>NEW SECTION.</u> Sec. 21. FOR THE		
PLANNING AND COMMUNITY AFFAIRS AGENCY		
General Fund Appropriation: PROVIDED,		
That this appropriation shall be used		
exclusively for the drug abuse prevention		
program: PROVIDED FURTHER, That		
\$72,327 is from state funds and		
\$950,000 is from federal funds .....	\$	1,022,327
<u>NEW SECTION.</u> Sec. 22. FOR THE		
DEPARTMENT OF MOTOR VEHICLES		
General Fund Appropriation .....	\$	521,557
Highway Safety Fund Appropriation .....	\$	193,670
Motor Vehicle Fund Appropriation .....	\$	16,634
<u>NEW SECTION.</u> Sec. 23. FOR THE STATE		
PATROL		
General Fund Appropriation .....	\$	308,457
Motor Vehicle Fund Appropriation .....	\$	430,000
<u>NEW SECTION.</u> Sec. 24. FOR THE POLLUTION		
CONTROL HEARINGS BOARD		
General Fund Appropriation .....	\$	71,092
<u>NEW SECTION.</u> Sec. 25. FOR THE PARKS		
AND RECREATION COMMISSION		
General Fund Appropriation		
For agency operations .....	\$	200,000
General Fund--Trust Land Purchase		
Account Appropriation .....	\$	600,000
<u>NEW SECTION.</u> Sec. 26. FOR THE		
INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION		
General Fund--Outdoor Recreation		
Account Appropriation .....	\$	4,503,534
<u>NEW SECTION.</u> Sec. 27. FOR THE		
DEPARTMENT OF FISHERIES		
General Fund Appropriation .....	\$	2,420,299
<u>NEW SECTION.</u> Sec. 28. FOR THE		
DEPARTMENT OF GAME		
General Fund Appropriation .....	\$	23,460
Game Fund Appropriation .....	\$	539,806
<u>NEW SECTION.</u> Sec. 29. FOR THE		
DEPARTMENT OF NATURAL RESOURCES		
General Fund Appropriation .....	\$	16,652
<u>NEW SECTION.</u> Sec. 30. FOR THE		
DEPARTMENT OF AGRICULTURE		
Grain and Hay Inspection Fund Appropriation .	\$	623,674

NEW SECTION. Sec. 31. FOR THE

EXPO '74 COMMISSION

General Fund Appropriation: PROVIDED,  
 That \$110,000 is for a state environmental  
 program exhibit and a like amount is  
 transferred from the State Trade Fair Fund  
 to the General Fund pursuant to Chapter  
 93, Laws of 1972 ex. sess.: PROVIDED  
 FURTHER, That \$100,000 is for an  
 Afro-American Pavilion at the Expo '74  
 Worlds Fair to be matched by at least an  
 equal amount of funds from federal, local,  
 and private sources ..... \$ 210,000

NEW SECTION. Sec. 32. FOR THE

WASHINGTON FUTURE PROGRAM

Appropriated to:  
 DEPARTMENT OF ECOLOGY  
 General Fund--State and Local Improvement Revolving  
 Account--Waste Disposal Facilities:  
 Appropriated pursuant to the  
 provisions of chapter 127, Laws of  
 1972 ex. sess., (Referendum 26),  
 for up to fifteen percent of the  
 overall cost of any project except  
 that (1) the state portion of solid  
 waste management, lake rehabilitation,  
 or irrigation return flows may be as  
 much as fifty percent; (2) the state  
 may provide one hundred percent of the  
 costs necessary to meet the conditions  
 required to receive federal funds; and  
 (3) the state may loan one hundred  
 percent of the eligible costs of  
 preconstruction activities ..... \$ 29,623,000

General Fund--State and Local Improvements  
 Revolving Account--Water Supply  
 Facilities: Appropriated pursuant  
 to the provisions of chapter  
 128, Laws of 1972 ex. sess. (Referendum  
 27): PROVIDED, That (1) The state  
 portion of water supply projects may be  
 as much as fifty percent; (2) the state  
 may provide one hundred percent of the  
 costs necessary to meet the conditions  
 required to receive federal funds; and  
 (3) the state may loan one hundred  
 percent of the eligible costs of  
 preconstruction activities ..... \$ 6,430,688

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

General Fund--State and Local Improvement Revolving  
 Account--Social and Health Services  
 Facilities: Appropriated pursuant to  
 the provisions of Chapter 130, Laws of  
 1972 ex. sess., (Referendum 29), for  
 social and health services facilities:  
 The Department of Social and Health  
 Services is authorized to obligate for  
 purposes of carrying out the provisions  
 of Chapter 130, Laws of 1972 ex. sess.,

a total of \$24,750,000: PROVIDED, That expenditures against these obligations shall not exceed \$10,000,000: PROVIDED, That no funds shall be expended for specific projects without the prior approval of the Office of Program Planning and Fiscal Management and the House and Senate Ways and Means Committees ..... \$ 10,000,000

NEW SECTION. Sec. 33. FOR THE

SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund Appropriation

For General Apportionment:  
 PROVIDED, That the weighting schedule to be used in computing the apportionment of funds for each district for 1973-75 shall be based on the following factors: Each full time equivalent student enrolled -- 1.0; each full time equivalent student enrolled in vocational education in grades 9-12 when excess costs are documented for the class and where the class is approved by the state Superintendent, an added -- 1.0; all identified culturally disadvantaged children receiving an approved program, an added -- .1; the factor established by the Superintendent of Public Instruction for use in the 1973-75 biennium designed to reimburse each district for costs resulting from staff education and experience greater than the minimum in the average salary schedule in use by Washington school districts shall be used; for school districts enrolling fewer than 250 students in grades 9-12, for nonhigh districts judged remote and necessary by the State Board of Education and which enroll fewer than 100 students, and for small school plants which are judged remote and necessary within school districts by the state board of education shall be in accordance with the weighting factors used during the 1972-73 school year: PROVIDED, That all school districts judged remote and necessary for school apportionment purposes during the 1972-73 school year shall be considered remote and necessary for school apportionment purposes throughout the 1973-75 biennium unless their enrollment exceeds 250 students in grades 9-12 or for nonhigh districts unless their enrollment exceeds 100 students: PROVIDED, That a school district formed after July 1, 1971 and which formerly consisted of one or more school districts qualifying during the preceding school year for additional weighting under the 'remote and necessary' provision or 'fewer than

250 students in grades 9-12' provision shall receive for a period of four years following consolidation such additional weighting as accrued to the qualifying district or districts for the school year preceding consolidation; full time equivalent students residing on tax exempt property (Chapter 130, Laws of 1969), an added -- .25; full time equivalent students in an approved interdistrict cooperative program (Chapter 130, Laws of 1969), an added -- .25: PROVIDED, That an amount not to exceed \$345,020 is included for the five vocational-technical institutes: PROVIDED, That no portion of these funds shall be allocated to a school district which expends or anticipates expending moneys in excess of their certified budget or budget extensions thereto as filed with the office of the Superintendent of Public Instruction and the Board of Education: PROVIDED, That it is the intent of the Legislature that \$11,100,000 of the funds contained in this appropriation shall be used to reduce maintenance and operations excess levies to the extent an individual school district's revenue for 1974-75 exceeds the school district's revenue for 1973-74 exclusive of the two mill payment delayed from June to July: PROVIDED, That the Superintendent of Public Instruction shall withhold from the amounts otherwise to be distributed through the apportionment formula to the districts any funds in excess of such 1973-74 revenues unless such districts demonstrate that excess maintenance and operations levies have been reduced to a comparable level with 1973-74 school district revenues: PROVIDED, That no district shall be required to reduce excess maintenance and operation levies if such districts revenue per pupil for basic support is below the statewide average of the 1973-74 school year for comparable districts: PROVIDED, That the receipt of federal funds which can be distributed through the apportionment formula and which provide funding in excess of 1973-74 categorical funding levels shall require the reversion of an equal amount of state funds at the end of the biennium: PROVIDED FURTHER, That the Superintendent of Public Instruction shall consult with the House



and Senate Ways and Means Committees prior to taking any action in compliance with these provisos and the determination of such committees shall be interpreted as a directive to the Superintendent of Public Instruction..... \$114,100,073

NEW SECTION. Sec. 34. FOR THE

SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund Appropriation: For relief of special (excess) levies for maintenance and operation of public schools collectible in calendar 1975: PROVIDED, That distribution of these funds shall be based on the proportion that the dollar amount of each school district's special maintenance and operation levy collectible in calendar 1975 bears to the total dollar amount of special maintenance and operation levies collectible by all school districts in the state in calendar 1975 as certified by the Superintendent of Public Instruction: PROVIDED FURTHER, That any special levy funds collected by any school districts in calendar 1975 shall be reduced by an amount equal to any funds received from this appropriation ... \$ 16,000,000

NEW SECTION. Sec. 35. FOR THE

SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund Appropriation: PROVIDED, That the Superintendent of Public Instruction, with existing staff, shall conduct a study of programs for children with learning-language disabilities, utilizing alternative model programs to determine effective and uniform procedures for identification of children with learning-language disabilities and effective and efficient programs to prevent and remedy learning-language disabilities: PROVIDED FURTHER, That the Superintendent of Public Instruction shall provide to the Governor and the Legislature prior to October 1, 1974, a written report which evaluates the alternative programs studied and makes recommendations for appropriate programs to meet the needs of children with learning-language disabilities. Such recommendations shall include appropriate program cost estimates for funding the recommended programs during the next three biennia ..... \$ 503,400

NEW SECTION. Sec. 36. FOR THE

SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund Appropriation For the Superintendent of Public Instruction for state institutional education program ..... \$ 891,607

NEW SECTION. Sec. 37. FOR THE ARTS  
COMMISSION

General Fund Appropriation: PROVIDED,  
That \$100,000 of this appropriation  
shall be used for the purpose of  
securing federal funds to aid in  
development of a viable operatic  
program in this state ..... \$ 163,585

NEW SECTION. Sec. 38. FOR THE STATE  
LIBRARY

General Fund Appropriation: PROVIDED, That  
\$1,336,000 of this amount shall be  
allotted to local library districts  
to replace local property tax revenues  
and maintain present levels of library  
services: PROVIDED FURTHER, That  
\$1,408,620 of this amount shall be from  
federal funds and that the receipt  
of any federal funds in excess of  
such amount will replace an equal amount  
of funds from the state general fund  
appropriation ..... \$ 3,148,620

NEW SECTION. Sec. 39. FOR THE STATE  
BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation: PROVIDED, That  
\$500,000 of this appropriation shall be  
for the continued implementation of a  
Management Information System and  
no expenditure of these funds shall be  
made until the final system plan is  
approved by the State Data Processing  
Authority and the Office of Program  
Planning and Fiscal Management ..... \$ 3,627,502

Community College Capital Projects  
Account Appropriation: PROVIDED,  
That these funds shall be made  
available from release of current  
reserve requirements contingent  
upon refinancing revenue tuition  
bonds: PROVIDED FURTHER, These  
funds shall only be used for purchase  
of equipment ..... \$ 5,000,000

NEW SECTION. Sec. 40. FOR THE  
EVERGREEN STATE COLLEGE

General Fund Appropriation: PROVIDED,  
That an additional one hundred and  
fifty students may be enrolled  
for the 1974-75 school year and  
such enrollment growth shall be in  
addition to the 1973-75 allowed  
enrollment level ..... \$ 214,787

NEW SECTION. Sec. 41. FOR THE  
GOVERNOR--SPECIAL APPROPRIATIONS

General Fund Appropriation: PROVIDED, That  
these funds shall be distributed to  
institutions of higher education  
including community colleges to implement  
a uniform personnel classification and  
compensation system ..... \$ 1,467,000

NEW SECTION. Sec. 42. FOR THE GOVERNOR--SPECIAL APPROPRIATIONS

General Fund Appropriation: To provide effective July 1, 1974, sufficient appropriations as are necessary to implement a sixth increment step for ranges five through twenty-two inclusive, to the State Personnel Board salary schedule as adopted effective January 1, 1974: PROVIDED, That all employees in ranges five through twenty-two who on July 1, 1974 have been in the fifth step for twelve months or more shall on July 1, 1974 advance to the sixth step; employees who have been in the fifth step less than twelve months shall advance to the sixth step on their regular periodic increment date and any employee subsequently completing twelve months at the fifth step shall advance to the sixth step on their periodic increment date: PROVIDED FURTHER, That funds may be allocated from this appropriation to provide comparable salary increases for employees of judicial and legislative agencies: AND PROVIDED FURTHER, That classified employees under chapter 28B.16 RCW who are assigned to HEPB salary range 41 or below shall receive a 5% salary increase on July 1, 1974, if they were at the top step of their institutional salary range on or before July 1, 1973, or whenever they would have completed 12 months at the top step of their former institutional range and who are not now eligible for a 5% incremental step under the Higher Education Personnel Board Compensation Plan adopted January 1, 1974 ..... \$ 4,650,228

Special Fund Salary Increase Revolving Fund Appropriation: The State Treasurer is hereby directed to transfer sufficient revenue from each special fund to the Special Fund Salary Increase Revolving Fund, in accordance with schedules provided by the Office of Program Planning and Fiscal Management, as required to implement effective July 1, 1974, a sixth step for ranges five through twenty-two inclusive, to the State Personnel Board salary schedule as adopted effective January 1, 1974, and for comparable salary increases for employees of judicial and legislative agencies; and for a five percent salary increase for classified employees under the jurisdiction of chapter 28B.16 RCW who are assigned to

HEPB salary range 41 or below effective July 1, 1974, if they were at the top step of their institutional salary range on or before July 1, 1973 or whenever they would have completed 12 months at the top step of their former institutional range and who are not now eligible for a 5% incremental step under the Higher Education Personnel Board compensation plan adopted January 1, 1974 .....

\$ 1,743,108

General Fund Appropriation: For additional contribution to employee health insurance to be allotted to those agencies whose employees are all or in part within the present system of the State Personnel Board, judicial agencies, institutions of higher education and for insurance benefits for local school district employees as provided by law: PROVIDED, That payment from these funds shall be utilized to provide up to \$25 per month for state employees and employees of the state institutions of higher education effective July 1, 1974 and up to \$20 per month for local school district employees effective September 1, 1974: PROVIDED, That the respective local districts contribute not less than an additional \$5 per month for such employees from local funds .....

\$ 4,841,491

Special Fund Health Benefits Increase Revolving Fund Appropriation: There is hereby created in the state treasury the Special Fund Health Benefits Increase Revolving Fund which shall be used solely to facilitate payment of state employee health benefit increases from special funds, and the State Treasurer is hereby directed to transfer sufficient revenue from each special fund to the Special Fund Health Benefits Increase Revolving Fund, in accordance with schedules provided by the Office of Program Planning and Fiscal Management, as required for additional contribution to employee health insurance to be allotted to those agencies whose employees are all or in part within the present system of the State Personnel Board, judicial agencies, and institutions of higher education: PROVIDED, That payment from these funds shall be utilized to provide up to \$25 per month for state employees and employees of the state institutions of higher education effective July 1, 1974 .....

\$ 653,970

General Fund Appropriation: To provide effective March 1, 1974 an increase to 13 cents per mile the rate of reimbursement received by state automobiles for use of private automobiles in carrying out official duties ..... \$ 589,536

Special Fund Mileage Reimbursement  
 Revolving Fund Appropriation: There is hereby created in the state treasury the Special Fund Mileage Reimbursement Revolving Fund which shall be used solely to facilitate payment of reimbursements to state employees for use of private automobiles in carrying out official duties at the rate of 13 cents per mile effective March 1, 1974 and the state treasurer is hereby directed to transfer sufficient revenue from each special fund to the Special Fund Mileage Reimbursement Revolving Fund, in accordance with schedules provided by the Office of Program Planning and Fiscal Management ..... \$ 714,748

NEW SECTION. Sec. 43. FOR THE

GOVERNOR

General Fund Appropriation: PROVIDED, That this appropriation shall be held in a contingency reserve status and shall be used to meet fiscal problems resulting from the energy crisis, inflation, to provide equity in state salary compensation for women and minorities and for state employee cost of living salary increases: PROVIDED, That these funds, to be requested by the Governor, shall be allocated based upon approval of a majority of each of the House and Senate Ways and Means Committees ..... \$ 2,000,000

NEW SECTION. Sec. 44. FOR THE STATE

BOARD FOR COMMUNITY COLLEGE EDUCATION

From the	From the
Community College	Community College
Capital Improve-	Capital Projects
ments Account	Account

(1) For an inflationary adjustment to 1973 approved projects. No expenditure shall be made until individual project review by Office of Program Planning and Fiscal Management \$ 2,465,778

(2) Construct classrooms, science labs, faculty offices, learning resource center,

administration, dining and storage space at Olympia Vocational Technical Institute	\$ 1,382,377	\$ 222,000
(3) Working drawings for vocational facilities, a learning resource center, faculty and administrative offices, and classroom at Spokane Community College (Mission Campus)	\$ 282,957	
(4) Working drawings for administrative space, remodeling the learning resource center, and a new welding facility at Green River Community College	\$ 40,216	
(5) Working drawings for vocational facilities, learning resource center space and remodeling of present library at Lower Columbia Community College	\$ 75,967	
(6) Working drawings for vocational facilities, science labs and faculty offices at Everett Community College	\$ 64,737	
(7) Working drawings for vocational facilities, additions to the library and dining facilities and remodeling of the library at Peninsula College	\$ 20,756	\$ 5,654
(8) Working drawings for dining, office, health, bookstore, study space, and remodeling of existing facility at Columbia Basin College		\$ 48,272
(9) Working drawings for a library addition, student dining and activity space, and remodeling at Spokane Community College (Spokane Falls Campus)	\$ 18,167	\$ 59,468
(10) Working drawings for vocational facilities and faculty offices in Unit C at the South Seattle campus of Seattle Community College	\$ 24,229	
(11) Working drawings for dining and office space at Ft. Steilacoom Community College	\$ 7,481	\$ 17,455

(12) Working drawings for dining space and remodeling at Yakima Valley College \$ 22,839

(13) Working drawings for dining space, science labs, and physical education space at Edmonds Community College \$ 85,312 \$ 16,250

(14) Working drawings for learning resource center and related office space at Olympic College \$ 30,719

(15) Working drawings for student activity space at Walla Walla Community College \$ 23,059

NEW SECTION. Sec. 45. FOR THE STATE PARKS AND RECREATION COMMISSION

	From the Fund Designated	From the General Fund
For development of Snowmobile Facilities and for safety improvements at Moran State Park		\$ 30,300

NEW SECTION. Sec. 46. FOR THE DEPARTMENT OF GAME Reappropriations From the General Fund

General Fund  
Outdoor Recreation  
Account 1971-73  
biennium \$ 362,993

NEW SECTION. Sec. 47. FOR THE DEPARTMENT OF NATURAL RESOURCES

	From the Fund Designated	From the General Fund
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(1) For capital facilities at Larch Mountain Honor Camp General Fund CEP&RI Account \$ 200,000

(2) For nursery reforestation and timber sale capital facilities Resource Management Cost Account \$ 1,777,000

(3) For reforestation access road construction General Fund Forest Development Account \$ 200,000

Sec. 48. Section 4, chapter 131, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:  
FOR THE EASTERN WASHINGTON STATE COLLEGE  
General Fund Appropriation: PROVIDED,

That up to \$146,000 of this appropriation shall be made available for establishment and support of a Master of Social Work graduate program during the 1973-75 biennium ..... \$ ((2679837044)) 20,992,445

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter ((~~SSB 2854~~)) 137, Laws of 1973 1st ex. sess. for faculty and exempt personnel ..... \$ 684,383

Sec. 49. Section 5, chapter 131, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:  
FOR THE CENTRAL WASHINGTON STATE COLLEGE

General Fund Appropriation: PROVIDED, That Central Washington State College may expend an amount not to exceed \$125,000 to explore the feasibility of the development and implementation of a management by objective program for the administration of public agencies; PROVIDED FURTHER, That \$291,918 of this appropriation shall remain unexpended at the end of the 1973-75 biennium..... \$ 22,148,218

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter ((~~SSB 2854~~)) 137, Laws of 1973 1st ex. sess. for faculty and exempt personnel ..... \$ 850,876

Sec. 50. Section 7, chapter 131, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:  
FOR THE WESTERN WASHINGTON STATE COLLEGE

General Fund Appropriation: PROVIDED FURTHER, That \$605,422 of this appropriation shall remain unexpended at the end of the 1973-75 biennium ..... \$ 25,530,776

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter ((~~SSB 2854~~)) 137, Laws of 1973 1st ex. sess. for faculty and exempt personnel ..... \$ 1,032,000

NEW SECTION. Sec. 51. There is hereby appropriated out of funds made available to this state under section 903 of the Social Security Act, as amended, the sum of five hundred thousand dollars, or so much thereof as may be necessary, to be used under the direction of the commissioner of the employment security department for the purpose of paying the legally authorized and required salaries and fringe benefits, including prior biennium employer contributions to the Public Employees Retirement System for retirement service credits, to the employees of the employment security department of the state of Washington in the event and to the extent that the



United States or its agents fail or refuse to supply sufficient current obligational authority to make such payments at the staff level in effect for such department on February 1, 1974, for the remainder of the 1973-1975 biennium: PROVIDED, That no part of the money hereby appropriated may be obligated after the expiration of the two-year period beginning on the date of enactment of this 1974 amendatory act: PROVIDED FURTHER, That the amount obligated pursuant to this 1974 amendatory act during any twelve-month period beginning on July 1st and ending on the next June 30th shall not exceed the amount by which (1) the aggregate of the amounts credited to the account of this state pursuant to section 903 of the Social Security Act during such twelve-month period and the twenty-four preceding twelve-month periods exceeds (2) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this state during such twenty-five twelve-month period.

NEW SECTION. Sec. 52. The Office of Program Planning and Fiscal Management is hereby authorized and directed to transfer 1973-75 General Fund allotments from the Superintendent of Public Instruction to the Council on Higher Education after passage of Chapter ... (SB 3159), Laws of 1974 ... ex. sess. on the effective date of such chapter, as follows:

(1) So much of the \$5,000 appropriation to the Superintendent of Public Instruction remaining unexpended from the appropriation made in chapter 134, Laws of 1973 1st ex. sess. for assistance to blind students as provided for in RCW 28B.10.215; and

(2) \$7,500 from the appropriation made in chapter 134, Laws of 1973 1st ex. sess. for the Superintendent of Public Instruction (Including Board of Education) to implement the provisions of Chapter ... (SB 3159), Laws of 1974 ... ex. sess.

NEW SECTION. Sec. 53. The receipt of federal or other funds which are not anticipated by the governor's supplemental budget or in the appropriations enacted by the Legislature shall be used to support regular programs instead of using funds appropriated from state taxes or similar revenue sources. Any state funds replaced by federal or other receipts shall be placed in reserve to the credit of the appropriate state fund or account, and shall not be expended, unless authorized by the legislature.

NEW SECTION. Sec. 54. It is the intention of the legislature that the term "agencies" as used in section 86, chapter 137, Laws of 1973 1st ex. sess. for the purposes of authorizing an additional state contribution to employees health insurance shall include the employees of the Public Pension Commission, Office of the Governor, Lieutenant Governor, Supreme Court, State Law Library, Court of Appeals, Administrator for the Courts, and the Judicial Council.

NEW SECTION. Sec. 55. General Fund surplus revenues from all sources, excluding federal funds, for the 1973-75 biennium in excess of \$2,200,276,000, but not to exceed \$20 million, as determined by the Department of Revenue, State Treasurer and Office of Program Planning and

Fiscal Management, shall be credited to the State Treasurer for deposit to a special fund for special levy relief to be distributed through the school apportionment formula.

NEW SECTION. Sec. 56. In addition to any funds contained in this 1974 amendatory act, appropriations made by the Legislature may be expended for programs set forth in chapter 137, Laws of 1973 1st ex. sess.

NEW SECTION. Sec. 57. If any provision of this 1974 amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 58. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Representatives Kopet, Pardini and Curtis spoke in favor of the amendment to Engrossed Substitute Senate Bill No. 3020, and Representative Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Kopet and others to Engrossed Substitute Senate Bill No. 3020, and the amendment was not adopted by the following vote: Yeas, 40; nays, 57; not voting, 1.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representative Kelley.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the committee amendment as amended to Engrossed Substitute Senate Bill No. 3020.

#### ROLL CALL

The Clerk called the roll on adoption of the committee amendment as amended to Engrossed Substitute Senate Bill No. 3020, and the amendment was adopted by the following vote: Yeas, 57; nays, 40; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli,

Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Not voting: Representative Kelley.

On motion of Mr. Bagnariol, the committee amendment to the title was adopted.

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3020 as amended by the House was placed on final passage.

Mr. Bagnariol spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Parker.

Mr. Parker: "Representative Shinpoch, in light of the proviso in section 2 of Substitute Senate Bill No. 2800 which prohibits a reduction in public assistance grants, why is this proviso in this budget necessary?"

Mr. Shinpoch: "Are you speaking of the proviso which prohibits the department from installing the standards which would have reduced 54% of the grants to AFCC and General Assistance?"

Mr. Parker: "Yes."

Mr. Shinpoch: "Although it appeared to me that the intent of the legislature was clear, it could be questioned through various judicial interpretations, and rather than rely on those court interpretations, that proviso was meant to remove all doubt of where the legislature stood."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3020 as amended by the House, and the bill passed the House by the following vote: Yeas, 58; nays, 39; not voting, 1.

Voting yeas: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli,

Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hendricks, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Patterson, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Polk, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Not voting: Representative Kelley.

Engrossed Substitute Senate Bill No. 3020 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

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

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Monday, February 11, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

TWENTY-NINTH DAY

-----  
MORNING SESSION  
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House Chamber, Olympia, Wash., Monday, February 11, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. Charette presiding). The Clerk called the roll and all members were present except Representative Luders, who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Bart Huizenga of the Evergreen Christian Reform Church of Olympia.

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

MESSAGES FROM THE SENATE

February 9, 1974

Mr. Speaker:

The President has signed:

ENGROSSED SENATE BILL NO. 2572,  
ENGROSSED SENATE BILL NO. 3002,  
SENATE BILL NO. 3055,  
SENATE BILL NO. 3075,  
SUBSTITUTE SENATE BILL NO. 3117,  
SENATE BILL NO. 3130,  
SENATE BILL NO. 3144,  
SENATE BILL NO. 3159,  
SENATE BILL NO. 3366,  
SENATE JOINT MEMORIAL NO. 106,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 437,  
SUBSTITUTE HOUSE BILL NO. 541,  
HOUSE BILL NO. 556,  
HOUSE BILL NO. 767,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 10,  
HOUSE BILL NO. 289,  
SUBSTITUTE HOUSE BILL NO. 569,

SUBSTITUTE HOUSE BILL NO. 833,  
HOUSE BILL NO. 931,  
HOUSE BILL NO. 1044,  
SUBSTITUTE HOUSE BILL NO. 1063,  
HOUSE BILL NO. 1144,  
HOUSE BILL NO. 1171,  
HOUSE BILL NO. 1255,  
HOUSE BILL NO. 1259,  
SUBSTITUTE HOUSE BILL NO. 1268,  
HOUSE BILL NO. 1282,  
HOUSE BILL NO. 1420,  
SUBSTITUTE HOUSE BILL NO. 1525,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3106, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3078, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3058, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3052, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3116, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 3039, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2541,

ENGROSSED SUBSTITUTE SENATE BILL NO. 2705,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3170,

2nd SUB. SENATE JOINT RESOLUTION NO. 105,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2904, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3024, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2634, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 2675, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to SENATE BILL NO. 2540, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 9, 1974

Mr. Speaker:

The Senate has concurred in the House amendment to REENGROSSED SUBSTITUTE SENATE BILL NO. 2132, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2541, by Committee on Ways and Means (Originally sponsored by Senator Talley):

AN ACT Relating to revenue and taxation of timber and forest lands; amending section 7, chapter 294, Laws of 1971 ex. sess. as amended by section 1, chapter 148, Laws of 1972 ex. sess. and RCW 82.04.291; amending section 8, chapter 294, Laws of 1971 ex. sess. as last amended by section 92, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.33.080; amending section 12, chapter 294, Laws of 1971 ex. sess. as amended by section 5, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.120; amending section 13, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.130; amending section 14, chapter 294, Laws of 1971 ex. sess. as last amended by section 93, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.33.140; amending section 10, chapter 146, Laws of 1967 ex. sess. as last amended by section 1, chapter 125, Laws of 1972 ex. sess. and RCW 84.40.045; repealing section 18, chapter 294, Laws of 1971 ex. sess., section 7, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.180; and declaring an emergency.

## MOTION

Mr. Thompson moved that the rules be suspended, and ENGROSSED SUBSTITUTE SENATE BILL NO. 2541 be placed at the bottom of today's second reading calendar.

Mr. Thompson spoke in favor of the motion, and Mr. Moon spoke against it.

Mr. Newhouse rose to speak in favor of the motion.

## RULING BY THE SPEAKER

The Speaker (Mr. Charette presiding): "Mr. Newhouse, I believe under our rules in suspending the rules, it allows for one speech for and one speech against. Mr. Thompson spoke in favor of the motion and Mr. Moon spoke against it."

The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2705, by Committee on Natural Resources (Originally sponsored by Senators Peterson [Lowell] and Peterson [Ted]):

AN ACT Relating to food fish and shellfish; amending section 75.32.070, chapter 12, Laws of 1955 as last amended by section 1, chapter 63, Laws of 1973 1st ex. sess. and RCW 75.32.070; amending section 75.32.080, chapter 12, Laws of 1955 and RCW 75.32.080; amending section 75.32.090, chapter 12, Laws of 1955 as last amended by section 1, chapter 193, Laws of 1967 and RCW 75.32.090; amending section 2, chapter 9, Laws of 1963



ex. sess. and RCW 75.32.101; amending section 75.32.110, chapter 12, Laws of 1955 and RCW 75.32.110; amending section 75.32.120, chapter 12, Laws of 1955 and RCW 75.32.120; and amending section 75.32.130, chapter 12, Laws of 1955 and RCW 75.32.130.

To Committee on Natural Resources.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3170, by Committee on Transportation and Utilities (Originally sponsored by Senators Walgren, Bottiger, Matson, Marsh, Dore and Bailey):

AN ACT Relating to utilities and energy; creating new sections; providing penalties; adding a new chapter to Title 43 RCW; repealing section 1, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.010; repealing section 2, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.020; repealing section 3, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.030; repealing section 4, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.040; repealing section 5, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.050; repealing section 6, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.060; repealing section 7, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.070; repealing section 8, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.080; repealing section 9, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.900; repealing section 10, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.905; repealing section 12, chapter 29, Laws of 1973 2nd ex. sess. and RCW 43.21D.910; making an appropriation; and declaring an emergency.

To Committee on Transportation and Utilities.

SECOND SUBSTITUTE SENATE JOINT RESOLUTION NO. 105, by Committee on Constitution and Elections (Originally sponsored by Senators Washington, Grant, Ridder, Metcalf and Whetzel):

Amending the Constitution to provide for annual sessions and allowing the legislature to convene itself for extraordinary sessions of no more than thirty days.

To Committee on Constitution and Elections.

#### MOTIONS

Mr. Thompson moved that all remaining bills and resolutions printed on the fourth order of business on today's agenda be referred to the committees so designated.

Mr. Newhouse moved that Second Substitute Senate Joint Resolution No. 105 be placed on today's second reading calendar.

Mr. King spoke against the motion by Mr. Newhouse.

Mr. Newhouse's motion was not carried.

The motion by Mr. Thompson was adopted.

#### REPORTS OF STANDING COMMITTEES

February 9, 1974

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 149, Prime sponsor: Senator Washington, relating to governmental powers, reported by Committee on State Government.

MAJORITY recommendation: Do pass. Signed by Representatives Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Ehlers, Gaines, Hurley, Lysen, Moon, Thompson.

To Committee on Rules for second reading.

#### SECOND READING

##### MOTION

On motion of Mr. Thompson, HOUSE BILL NO. 779 and SECOND REENGROSSED SENATE BILL NO. 2366 were placed at the bottom of today's second reading calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2938, by Committee on Local Government (Originally sponsored by Committee on Local Government):

Authorizing a fire protection district service charge.

The bill was read the second time.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendment, see Journal for twenty-fourth day, 3rd ex. sess., February 6, 1974.)

On motion of Mr. Randall, the committee amendment was adopted.

Mr. Moon moved adoption of the following amendment:  
On page 1, section 1, line 16 after "properties" strike everything down through "education" on line 24

Mr. Moon spoke in favor of the amendment, and Representatives Randall and Bluechel spoke against it.

Mr. Moon spoke again in favor of the amendment.

The amendment was not adopted.

Mr. Newhouse moved adoption of the following amendment:  
On page 3, section 2, line 4 after "structure" in the language added by Senator Canfield's amendment, insert ":

PROVIDED FURTHER, That the term 'improvements to real property' shall not include permanent growing crops, field improvements installed for the purpose of aiding the growth of permanent crops, or other field improvements normally not subject to damage by fire."

Representatives Newhouse and Randall spoke in favor of the amendment, and it was adopted.

On motion of Mr. Conner the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2938 as amended by the House was placed on final passage.

Mr. Randall spoke in favor of the bill.

POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Randall, in the fire protection districts created pursuant to chapter 52.04 RCW, are those all volunteer firemen fire districts?"

Mr. Randall: "Yes, they are."

POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Tilly.

Mr. Tilly: "I don't think I have heard what the fiscal impact of this will be. Could you give us some data on this, please?"

Mr. Randall: "There is no fiscal impact to state government in this at all. The fiscal impact that you will see will be a fiscal impact that I think is somewhat undetermined because they haven't had experience. We can project though that the maximum that could be charged to any resident taxpayer would be about \$12.50 per year. This maximum charge that will run his bill up, so to speak, will be counterbalanced either by the maintaining of his fire rates where they are or a reduction of his fire rates for insurance. An example is a home that is now paying \$26.50--a \$24,000 home in what we call a class 4 district--will be moved to a class 7 district because of lack of fire protection and his bill now becomes \$39.15. If it's a little worse than that it goes up to \$58.26 and it could, if he was in a class 10 district with no fire protection, reach a premium of \$120.98. So I suppose you could say that without this bill they have a chance of a negative fiscal impact on the individual taxpayer in rural counties of a substantial amount. There are a number of fire districts that are adequately financed, or are holding their own, and chances are they will not be involved in any type of demand or request for a rate increase. There are many districts though, particularly in the light of the 106% limitation--the Valentine case in Pierce County--who will virtually be without funds and will have to close

their doors. So if you were asking me what the best fiscal impact is, I think I could tell you that it would be negligible or no impact to state government but could impact the resident taxpayer severely in reverse. His maximum increase change would in the nature of \$12.50 per year."

Mr. Kuehnle spoke in favor of the bill, and Mr. Moon spoke against it.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Amen.

Mr. Amen: "Representative Randall, I would like to hear your comments on how this will affect some of the other districts--sewer districts, water districts. Will they also come in and ask for this same provision then or will they be prevented from doing that?"

Mr. Randall: "They will have to lay their cards on the table before this body like any other district has. I think in the area of fire districts they have done a good job--they have told us exactly the reasons why this is necessary, exactly the consequences that will be forthwith without it, the climbing type of fire rates that will be involved and, I suppose that any other district that might feel that this type of approach is to their benefit will come down here and do the same. There is nothing in this that precludes that."

Representatives Haussler, Morrison, Anderson and Bluechel spoke in favor of the bill, and Representatives Pardini and North (Lois) spoke against it.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Bauer.

Mr. Bauer: "Representative Randall, will this act in any way change the status of House Bill No. 1268 that we passed earlier?"

Mr. Randall: "No, House Bill No. 1268 deals with an exemption for public schools and this bill does not touch that."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2938 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 11; not voting, 1.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen,

Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, North F., O'Brien, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Charette, Charnley, Douthwaite, Julin, Moon, North L., Pardini, Perry, Savage, Williams, Wojahn.

Not voting: Representative Newhouse.

Engrossed Substitute Senate Bill No. 2938 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Thompson, consideration of ENGROSSED SENATE BILL NO. 3021, ENGROSSED SENATE BILL NO. 3064 and ENGROSSED SENATE BILL NO. 3118 was deferred until after consideration of Substitute Senate Bill No. 3378.

SENATE BILL NO. 3272, by Senator Rasmussen (by State Finance Committee request):

Providing for common school bonds.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3272 was placed on final passage.

Mr. Williams spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3272, and the bill passed the House by the following vote: Yeas, 88; nays, 6; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Kishimoto, Kopet, Kraabel, Kuehnle, Laughlin, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman.

Voting nay: Representatives Blair, Eikenberry, Julin, Leckenby, Perry, Polk.

Not voting: Representatives Goltz, Knowles, Luders, and Mr. Speaker.

Senate Bill No. 3272, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Newhouse assumed the Chair.

SENATE BILL NO. 3304, by Senators Donohue, Sellar, Sandison, Woodall and Matson:

Authorizing off-laboratory building at Washington State University Tree Fruit Research Center and providing the financing thereof through issuance of bonds.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3304 was placed on final passage.

Mr. Tilly spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3304, and the bill passed the House by the following vote: Yeas, 97; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North P., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Luders.

Senate Bill No. 3304, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3354, by Senator Rasmussen (by State Finance Committee request):

Implementing laws relating to financing by the state, its agencies, institutions, political subdivisions, and municipal and quasi municipal corporations.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3354 was placed on final passage.

Mr. Williams spoke in favor of the bill.

POINT OF INQUIRY

Mr. Leckenby: "Will Mr. Williams please yield to question?"

Mr. Williams declined to yield to question.

Mr. Leckenby spoke against passage of the bill.

PARLIAMENTARY INQUIRY

Mr. Cunningham: "My calendar says this is an engrossed Senate bill, and neither of my billbooks show this. Could you clarify why this is engrossed?"

The Speaker (Mr. Newhouse presiding): "Mr. Cunningham, does the bill in your billbook include an amendment?"

Mr. Cunningham: "Yes, this one. Is that the only change?"

The Speaker (Mr. Newhouse presiding): "Yes."

POINT OF INQUIRY

Mr. Williams yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Williams, my understanding of the purpose of this bill is to replace certain bond issues that are earmarked as certain tax revenue with general obligation bonds which would be based on the entire total revenue of the state and thereby get local interest rates. If we do get lower interest rates I don't understand this part about having to go higher--1.05 times the amount, if we are making a saving. Can you explain that?"

Mr. Williams: "Mr. Flanagan, I am sure that there is someone here who can explain this more adequately than I; however, the testimony we received in committee was basically the purpose of these particular Senate bills--this one and the two following--is that in refinancing, etc. we are ultimately saving the state a great deal of money. In this particular one, the saving annually is

about \$412,000. Beyond that I am relying on the testimony that the Treasurer's Office and Mr. Hitchman gave before our committee. All the testimony we received was that these bills are really a savings to the citizens, the taxpayers of the state."

Mr. Flanagan: "I can't understand why we have to exceed the debt limitation if we are making a savings and reducing the annual debt service by going over to these general obligation bonds. Why is it necessary to exceed the debt limit in order to do it?"

Mr. Moon: "What actually is being done--a general obligation bond can be sold at a lesser rate of interest than can revenue bonds and there are provisions in here so that the revenue bonds can be cashed out and, of course, it costs a little to cash them out, but there are also provisions in here that won't allow the cashing out unless there can be a savings made on the total transaction from these revenue bonds to the refinancing of the general obligation bonds. There are protections in the bill that will prevent selling the revenue bonds and refinancing with general obligation bonds and increasing the total amount of interest, the total amount of principal and the total amount of cost of transaction. There has to be a net gain to the financing entity before this transaction can be placed."

#### POINT OF INQUIRY

Mr. Julin: "I am going to ask this question generally to some member of the House. My digest indicates the amount of the refunding bonds can be up to 1.05% of the amount of the existing bonds, and then my digest says that any excess proceeds shall be applied to the payment of the new bonds. Why do we have that kind of provision in this measure if you are going up to 1.05%? It seems to me to say implicitly that the cost of refunding is 5% of the principal of these bonds."

Mr. Charette: "We have some bonds that run about as high as 7% now and they are going to require a premium to pay them off, but there is a possibility that we can buy bonds at 4.9% or less. So what you would do with this 1.05% factor is put it in an escrow account and use that money to pay off the higher rate bonds and then over the long run there is actually a savings of the difference between the 7% bonds and the 4.9% bonds. This is one of those areas where we are dealing with an advisor and an attorney with the State Finance Committee, and the bill has been requested by the State Treasurer's Office. I guess it is difficult to get someone on the floor of the House who can fully understand, but I think I have answered your question."



## POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Kopet.

Mr. Kopet: "I think the concern here is what are we doing with the reserves required under the present bond covenant? What is going to happen to that particular amount of money that we have set aside and where is it going to be used? In earlier testimony Representative Williams said this would release about six million dollars of reserves and I think the concern that is being voiced here is what are you going to do with those reserves? Are you going to use them to pay off the bonds, or where are you going to use them?"

Mr. Charette: "Representative Kopet, I am not going to attempt to answer, because I am not sure about the technicalities. Perhaps I could defer to Representative Pardini, who deals with finances more than I."

Mr. Pardini: "I think the 1.05% that we see in the bill does not deal at all with the reserve situation that we have on the bonds. Those reserve bonds, once this refunding is accomplished, could very definitely go toward the relief of special levies as soon as we loosen that money up. Representative Charette's remarks were very accurate earlier. What we are doing is giving the State Finance Committee the flexibility by not going exactly the amount of the bonds that are outstanding--going an additional five percent. The reason for this is that there will be some costs. There will be bond counsel costs, which are basically attorney fees, and this type of thing. It's also probable that when you go out with the general obligation bonds, even at the lower interest rate, you might have to go out and sell them at 102% above or below the market because the market will look at that interest rate and will make some kind of adjustment if they are not totally happy with the interest rate on the bond. You may have to sell them at 98% or 99% in order to make the effective rate of interest go higher. So if we go dollar for dollar it would tie the hands of the Finance Committee in going out at a discount. The ultimate result is, however, that the new interest rate, even taking into consideration any discounts that might have to be paid over a 20 or 30 year period would effect the savings. The second half of the question would be, if they say that we can go up to 105% and they only use 102% of that, then any additional moneys that are not necessary would immediately go back toward the debt service or repayment of these bonds. So it gives them flexibility, but at the same time ties their hands by saying that anything they don't use will be used toward the redemption of these bonds."

## POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Pardini, is it your understanding that these general obligation bonds would be

good and in the same term years as the bonds that are to be paid off? In other words, would the general obligation bonds be made for the term of life as the existing bonds that have a 15-year payoff?"

Mr. Pardini: "I can't say specifically, but I would assume that probably they would. One of the things on bonds is that you have to take a look at what the market is doing. If someone is interested in making this kind of commitment, they may want to go up to a 20 or 30-year commitment so that they know that their portfolio is guaranteed for that long. In that regard, you might be rewriting a 15-year bond with a 20-year bond if that is what is demanded on the market. That's a judgment that many times we are going to have to leave to the State Finance Committee to decide what is in the best interest of the state."

Mr. Leckenby: "Thank you, Mr. Pardini, it's my understanding from a conversation I have just had out in the wings with the State Treasurer that it is their intention that the general obligation bonds would be written for the same span of time as those bonds which are to be paid off. I wanted to get this into the record, and I also wanted the body to understand this. We are not exchanging 15-year bonds for 20 or 30-year bonds and therefore passing the debt on to future generations."

Mr. Williams spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3354, and the bill passed the House by the following vote: Yeas, 90; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cunningham, Eikenberry, Julin, King, Perry, Polk.

Not voting: Representatives Luders, Sommers.

Engrossed Senate Bill No. 3354, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3355, by Committee on Higher Education (Originally sponsored by Senator Rasmussen - by State Finance Committee request):

Implementing the law relating to community college bonding provisions.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3355 was placed on final passage.

Mr. Williams spoke in favor of the bill.

POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Bluechel.

Mr. Bluechel: "Could you tell me what is going to happen to the reserve fund that is set up for the community college bonds at the present time?"

Mr. Pardini: "Mr. Bluechel, I can't say for sure. As Representative Williams has just said this will release \$10.4 million worth of reserves that have been set. Again, I think it would be the intent of the legislature that these reserves not be appropriated by the community college system, that we could consider the possibility of taking them in at some time in the future for special levy relief. There is some thought that maybe that money could be used for equipment, vocational training equipment, in the community colleges. I believe from what I have heard in testimony on these bonds in the legislative halls, that it is not the intent of the legislature to release those. We will have to make that decision later."

Mr. Charette spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3355, and the bill passed the House by the following vote: Yeas, 88; nays, 6; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson,

Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cunningham, Eikenberry, Julin, King, Perry, Polk.

Not voting: Representatives Bauer, Gaspard, Kelley, Luders.

Substitute Senate Bill No. 3355, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3362, by Senator Rasmussen (by State Finance Committee request):

Providing for the refunding of certain state capitol committee bonds by issuance of refunding bonds.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3362 was placed on final passage.

Mr. Williams spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Cunningham.

Mr. Cunningham: "Representative Pardini, I have been voting no on the last two bills and I think I am going to do the same on this one. My concern is this figure that you use on the money that we are going to save in interest. Isn't it true that the money will only be saved if these bonds sell at full par value?"

Mr. Pardini: "It is a very difficult question to answer, Representative Cunningham. Traditionally, general obligation bonds should carry a one percent differential rather than a limited revenue source. Even if a discount had to be offered, if the bonds were not sold at par, it would be a determination that the Finance Committee would have to make at that point in time. If they sold a \$1,000 bond at \$980, it's very quick for them to see what the effective rate on it would be. The effective rate would be five percent and the discount puts it up to 5 1/8th as compared to the 6 1/2. Over a 20-year period there could be a substantial savings. It is my understanding that the numbers being used by Representative Williams' State Finance Committee anticipate some of these expenses in refinancing and when compared with the rate that is on the current bonds outstanding, the savings could still be effected."

Mr. Cunningham spoke against the bill, and Mr. O'Brien spoke in favor of its passage.

## POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Pardini, after listening to the debate here, the way I understand it, is that because of the fact that these previous bonds were limited bonds that it was necessary to have a reserve there to meet the requirements of the purchasers. Now when you go over to general obligation bonds it is not necessary to have a reserve, but inasmuch as that reserve was put there for the purpose of paying off debt service, it seems to me that it should not be used for additional general fund money for any other purpose. It would seem to me that the reason that it was put there was to pay off bonds in the first place. I don't know, whatever reason it was put there, why isn't it continued to be used to pay off bonds? This is the part I don't like about this."

Mr. Pardini: "Representative Flanagan, you are absolutely correct. Limited bonds generally, by the purchaser of the bonds and the bond counsel, require a reserve to be set up during the life of the bonds to prevent a default. They do this because there are limited revenue sources available. Mr. Charette addressed himself to the question of the community college refund bonds in which there is a \$10.4 million dollar reserve, where he indicated, and I think it is the intent of the legislature, that the money is not to be used for anything in the future until the direction of the legislature. In actual response to your question, I would suspect that if this refunding is accomplished, there is a very strong probability that there could be a one-time windfall of approximately \$20 million from all of these reserves. The legislature, at that time, will make the determination as to what they do with that one-time windfall. The bills do not contain any provisions for reducing the bonds that are outstanding. There have been several suggestions that the \$20 million be reserved for relief of special levies, and I would certainly hope that we would do that, but at this point it is very indefinite and the future legislative body, after the refunding is accomplished, will have to make that decision."

Mr. Flanagan: "Don't you think that it was the purpose of this money to repay bonds? If we carry out the original intent of HJR 52 then the reserve on this should be used for the purpose of repaying bonds rather than diverting it into other places."

Mr. Pardini: "I'm not sure that I totally agree with you. For instance, we said we are going to issue \$75 million dollars in college bonds, and when we made that issuance we took into account the fact that there would be a substantial interest cost and maybe the total cost of this community college thing might be as high as \$125 million. So we made the commitment on interest at this point in time. If the cost is now less we still haven't exceeded it even if the reserves were used. The only thing

that I would again reemphasize is that if the reserves are free, the State Finance Committee or the appropriate agency involved would not use those reserves without coming back to the legislature again. I think that we should not make any point more emphatic. We do not want those reserves used without coming back to the legislature. Now if that gets the intent of the legislature in the record, I don't think we can be more clear."

Mr. Charette spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3362, and the bill passed the House by the following vote: Yeas, 89; nays, 6; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Kalich, Kelley, Kilbury, Kishimoto, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Cunningham, Eikenberry, Julin, King, Perry, Polk.

Not voting: Representatives Johnson, Knowles, Luders.

Senate Bill No. 3362, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### POINT OF PERSONAL PRIVILEGE

Mr. Perry: "I would like to add that I think everybody in here ought to read HJR 52 and ought to read some of the bond covenants that we have here before we, in the future, pass any of these issues."

SUBSTITUTE SENATE BILL NO. 3378, by Committee on Ways and Means (Originally sponsored by Senators Donohue and Atwood - by Executive request):

Making certain appropriations and reappropriations.

The bill was read the second time.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3378 was placed on final passage.

Representatives Charette and Kopet spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3378, and the bill passed the House by the following vote: Yeas, 95; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Leckenby.

Not voting: Representatives Johnson, Luders.

Substitute Senate Bill No. 3378, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Thompson, the House moved to immediately consider SENATE CONCURRENT RESOLUTION NO. 152.

SENATE CONCURRENT RESOLUTION NO. 152, by Senator Bailey:

Authorizing temporary suspension of cutoff under Senate Concurrent Resolution No. 143.

The resolution was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 152 was placed on final passage.

Mr. Thompson spoke in favor of the resolution.

The resolution was adopted.

## MOTION

On motion of Mr. Thompson, the House moved to immediately consider SENATE BILL NO. 3379.

SENATE BILL NO. 3379, by Senators Bailey and Day:

Authorizing release of certain information to the attorney, guardian, conservator, or family of a mentally ill person.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3379 was placed on final passage.

Mr. Adams spoke in favor of the bill.

POINT OF INQUIRY

Mr. Adams yielded to question by Mr. Kraabel.

Mr. Kraabel: "Can you give me the definition of next of kin? I presume that it is defined somewhere, but I can't find it."

Mr. Adams: "I would imagine it would be parent or closest one living to the individual who is in the institution."

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3379, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Johnson, Luders.

Senate Bill No. 3379, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



## MOTION

On motion of Mr. Charette, all bills passed in the House to this point in the proceedings were ordered transmitted immediately to the Senate.

## POINT OF PERSONAL PRIVILEGE

Mr. Haussler: "I would like to tell the membership of the House that I have just voted for the last time for Representative Beck. In a few minutes he will be a Senator."

## MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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AFTERNOON SESSION  
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The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Luders who was excused.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

## SENATE AMENDMENT TO HOUSE BILL

February 7, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 102 with the following amendment:

On page 2, section 2, line 1 after "property" and beginning with the period strike the remainder of the bill and insert the following: "without offsetting the amount of any special benefits accruing to a remainder of the property as those several amounts are agreed to by the parties; or

(4) Demand a trial before a jury unless jury be waived to establish the fair market value of any property taken and the amount of damages if any caused by such acquisition to a remainder of the property without offsetting the amount of any special benefits accruing to a remainder of the property.

The selection of the option set forth in subsections (3) or (4) of this section is subject to the consent by the property owner to the creation and recording of a lien against the remainder in the amount of the fair market value of any property taken plus the amount of damages

caused by such acquisition to the remainder of the property without offsetting the amount of any special benefits accruing to a remainder of the property, plus interest as it accrues.

NEW SECTION. Sec. 3. A lien established as provided in section 2 of this 1974 act shall be satisfied or released by:

(1) Agreement between the parties to that effect; or  
(2) Payment of the lien amount plus interest at the rate of five percent per annum; or

(3) Payment of the amount of offsetting special benefits as established pursuant to section 2(3) of this 1974 act plus interest at the rate of five percent per annum within four years of the date of acquisition; or

(4) Satisfaction of a judgment lien entered as a result of a trial before a jury unless jury be waived to establish the change in value of the remainder of the original parcel because of the construction of the project involved: PROVIDED, That if the result of the trial is to find no special benefits then the lien is extinguished by operation of law. Trial may be had on the petition of any party to the superior court of the county wherein the subject remainder lies after notice of intent to try the matter of special benefits has been served on all persons having an interest in the subject remainder. Such notice shall be filed with the clerk of the superior court and personally served upon all persons having an interest in the subject remainder. Filing a notice of intent to try the matter of special benefits shall be accompanied by a fee in the amount paid when filing a petition in condemnation.

(5) Upon expiration of six years time from the date of acquisition without commencement of proceedings to foreclose the lien or try the matter of special benefits to the remainder of the property, the lien shall terminate by operation of law.

NEW SECTION. Sec. 4. A judgment entered as a result of a trial on the matter of special benefits shall not exceed the previously established sum of (1) the fair market value of any property taken; (2) the amount of damages if any to a remainder of the property, without offsetting against either of them the amount of any special benefits accruing to a remainder of the property; (3) the interest at five percent per annum accrued thereon to the date of entry of the judgment.

NEW SECTION. Sec. 5. Attorney fees and expert witness fees of the condemnee may be allowed by the attorney general or other attorney representing a condemnor to the extent provided in RCW 8.25.070 and shall be awarded by the court as authorized by this section to the extent provided in RCW 8.25.070 for trial and trial preparation: (1) in the event a trial is held as authorized by section 2 of this 1974 act except the judgment awarded to the condemnor must exceed by ten percent or more the highest written offer in settlement of the issue to be determined by trial submitted by the condemnor to those condemnees appearing in the action at least thirty days prior to commencement of the trial; (2) in the event of a trial on the matter of special benefits as authorized by section 3(4) of this 1974

act except the judgment awarded to the condemnor must be no more than ninety percent of the lowest written offer in settlement submitted by the condemnor to the condemnees appearing in the action at least thirty days prior to commencement of the trial on the matter of special benefits.

NEW SECTION. Sec. 6. A condemnor may foreclose the lien authorized by section 2 of this 1974 act by bringing an action and applying for summary judgment pursuant to civil rule 56 and may execute first upon the remainder property but such proceedings shall not be commenced before five years time has passed from the date of acquisition by the condemnor. A property owner may stay proceedings to enforce the lien authorized by section 2 of the 1974 act by commencement of an action to try the matter of special benefits.

NEW SECTION. Sec. 7. Sections 1 through 7 of this 1974 act shall be added to chapter 8,25 RCW.

NEW SECTION. Sec. 8. This 1974 act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Bauer, the House concurred in the Senate amendment to Engrossed House Bill No. 102.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 102 as amended by the Senate.

Mr. Bauer spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Bauer yielded to question by Mr. Newhouse.

Mr. Newhouse: "You mentioned that the increased value of any other property involved would not be taken into consideration. Would this be property that the original owner might hold adjacent to that property that is condemned?"

Mr. Bauer: "When they make a determination that the remainder of your property has been enhanced in value as a result of that structure, then the agency offered you a zero amount for the take. So any adjacent property that you might have maintains values accrued to it greater than the value of what they take."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 102 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 1; not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehne, Laughlin, Leckenby, Lysen, Martinis, Matthews, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Pardini.

Not voting: Representatives Brown, Eikenberry, Kraabel, Luders, Maxie, Nelson, Randall, Van Dyk.

Engrossed House Bill No. 102 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 7, 1974

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 383 with the following amendments:

On page 2, beginning on line 6, strike "none of which are smaller" and insert "((none of which are smaller)) larger"

On page 2, line 8 strike "smaller than"

On page 2, section 2, beginning on line 21 strike all of subsection (4).

Renumber the remaining subsections consecutively.

On page 4, section 5, line 18 strike "environmental corridors," and on lines 24 and 25 strike "environmental corridors"

On page 4, section 5, lines 32 and 33 strike "or fees paid in lieu thereof"

On page 6, section 9, beginning with "In" on line 29 strike all the matter down through and including "action." on page 7, line 5.

On page 7, section 10, lines 15 and 16 strike "((The prohibition contained in this section shall not apply to an innocent purchaser for value without actual notice:))" and insert "The prohibition contained in this section shall not apply to an innocent purchaser for value without actual notice."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Haussler, the House did not concur in the Senate amendments to Second Substitute House Bill No. 383.

## SENATE AMENDMENTS TO HOUSE BILL

February 7, 1974

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 473 with the following amendments:

On line 5 of the title after "9.46.030;" insert "amending section 4, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.040;"

On line 10 of the title after "9.46.110;" insert "amending section 20, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.200;"

On page 1, line 15 of the title strike "and" and on line 16 after "penalties" and before the period insert "; declaring an emergency and prescribing an effective date"

On page 3, section 1, line 14 after "town" and before the period insert ": PROVIDED, That participants in amusement games as defined and regulated shall not be designated as gamblers, nor such amusement game be defined as gambling"

On page 4, section 2, line 21 after "same." strike all the material down through and including "section." on line 27 and insert "((The fact that contributions to an organization do not qualify for charitable contribution deduction purposes or that the organization is not otherwise exempt from payment of federal income taxes pursuant to the Internal Revenue Code of 1954; as amended; shall constitute prima facie evidence that the organization is not a bona fide charitable or nonprofit organization for the purposes of this section:))"

On page 7, line 28 after "newspaper" strike the comma and insert "(7)"

On page 10, line 28 after "game" and before the period insert "or to the winner or winners of said prize or prizes"

On page 12, section 3, line 12 add a new subsection following subsection (1) as follows:

"(2) Bona fide charitable or bona fide nonprofit organizations organized primarily for purposes other than the conduct of raffles, are hereby authorized to conduct raffles without obtaining a license to do so from the commission when such raffles are held in accordance with all other requirements of chapter 9.46 RCW, other applicable laws, and rules of the commission; when gross revenues from all such raffles held by the organization during the calendar year do not exceed \$5,000; and when tickets to such raffles are sold only to, and winners are determined only from among, the regular members of the organization conducting the raffle: PROVIDED, That the term members for this purpose shall mean only those persons who have become members prior to the commencement of the raffle and whose qualification for membership was not

dependent upon, or in any way related to, the purchase of a ticket, or tickets, for such raffles."

Renumber the remaining subsections consecutively.

On page 13, line 26 after "issue," and before "suspend" insert "deny,"

On page 13, line 27 after "race," and before "creed," insert "sex,"

On page 13, lines 23 through 25, after "That" strike all the material down through and including "PROVIDED FURTHER, That" and insert "the commission shall not deny a license to an otherwise qualified applicant in an effort to limit the number of licenses to be issued: PROVIDED FURTHER, That)"

On page 14, beginning on line 7 after "PROVIDED," strike all the material down through and including "FURTHER," on line 10 and insert "((That the commission shall not deny a license to an otherwise qualified applicant in an effort to limit the number of licenses to be issued: PROVIDED FURTHER,))"

On page 15, line 13 after "having" and before "interest" strike "an" and insert "((an)) a managerial or ownership"

On page 15, line 23 after "holding" strike "an" and insert "((an)) a managerial or ownership"

On page 15, line 26 after "activity" and before the semicolon insert ": PROVIDED FURTHER, That fingerprinting shall be required only in those cases where the commission or the director has cause to believe that information gained thereby may disclose criminal or other relevant activity"

On page 15, beginning on line 31 after "games be" strike all the material down through "fair;" on page 16, line 5 and insert "((received for at the time the income is received from each individual player and that all prizes be received for at the time the prize is distributed to each individual player and to require that all raffle tickets be consecutively numbered and accounted for: PROVIDED; That in lieu of the requirements of this subsection, agricultural fairs as defined herein shall report such income not later than thirty days after the termination of said fair;)) recorded and reported as established by rule or regulation of the commission to the extent deemed necessary by considering the scope and character of the gambling activity in such a manner that will disclose gross income from any gambling activity, amounts received from each player, the nature and value of prizes, and the fact of distributions of such prizes to the winners thereof."

On page 16, section 4, following line 23, insert a new subsection to read as follows:

"(11) To regulate and establish for bona fide charitable nonprofit corporations and organizations reasonable admission fees which may be imposed by such organizations for the purpose of defraying the expenses incident to a social card or other game or fund raising endeavor and the balance over and above such expenses is to be used solely for the charitable purposes of the corporation or organization."

Renumber the remaining subsections consecutively.

On page 19, beginning on line 15 after "therein" strike all the matter down through and including "government" on line 17.

On page 19, beginning on line 18 strike "of twenty thousand or more persons"

On page 21, line 14 after "over" and before "dollars" strike "five" and insert "~~((five))~~ fifty"

On page 21, line 19 strike "~~((ten))~~ fifteen" and insert "ten"

On page 21, line 21 after "or" and before "as" insert "out" and on line 22 after "receipts" add "less the amount paid for or out as prizes"

On page 22, line 2 after "therewith." strike "The" and insert "Each commissioner, the"

On page 22, line 30 add a new section 10 to read as follows:

"Sec. 10. Section 20, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.200 are each amended to read as follows:

In addition to any other penalty provided for in this chapter, every person, directly or indirectly controlling the operation of any gambling activity authorized in section 3 of this act including a director, officer, and/or manager of any association, organization or corporation conducting the same, whether charitable, nonprofit, or profit, shall be liable, jointly and severally, for money damages suffered by any person because of any violation of this chapter, together with interest on any such amount of money damages at six percent per annum from the date of the loss, and reasonable attorneys' fees: PROVIDED, That if any such director, officer, and/or manager did not know any such violation was taking place and had taken all reasonable care to prevent any such violation from taking place, ~~((the burden of proof thereof shall be on such director, officer, and/or manager;))~~ and if such director, officer and/or manager shall ~~((sustain the burden of proof))~~ establish by a preponderance of the evidence that he did not have such knowledge and that he had exercised all reasonable care to prevent the violations he shall not be liable hereunder. ~~((Any civil action under this section may be considered a class action.))~~"

Renumber the remaining sections consecutively.

On page 23, line 5 strike all of section 11.

On page 23, line 5 insert a new section 11 as follows:

"Sec. 11. Section 4, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.40.040 are each amended to read as follows:

There shall be a commission, known as the 'Washington state gambling commission', consisting of five members appointed by the governor with the consent of the senate. The members of the commission shall be appointed within thirty days of July 16, 1973 for terms beginning July 1, 1973, and expiring as follows: One member of the commission for a term expiring July 1, 1975; one member of the commission for a term expiring July 1, 1976; one member of the commission for a term expiring July 1, 1977; one member of the commission for a term expiring July 1, 1978; and one member of the commission for a term expiring July 1, 1979; each as the governor so determines. Their successors, all of whom shall be citizen members appointed

by the governor with the consent of the senate, upon being appointed and qualified, shall serve six year terms: PROVIDED, That no member of the commission who has served a full six year term shall be eligible for reappointment. In case of a vacancy, it shall be filled by appointment by the governor for the unexpired portion of the term in which said vacancy occurs. No vacancy in the membership of the commission shall impair the right of the remaining member or members to act, except as in RCW 9.46.050(2) provided.

In addition to the members of the commission there shall ~~((initially))~~ be four ex officio members without vote from the legislature consisting of: (1) Two members of the senate, one from the majority political party and one from the minority political party, both to be appointed by the president of the senate; (2) two members of the house of representatives, one from the majority political party and one from the minority political party, both to be appointed by the speaker of the house of representatives; ~~((all of whose terms shall end December 31, 1974; appointments shall be made within thirty days of July 16, 1973))~~ such appointments shall be for a term of two years or for the period in which the appointee serves as a legislator, whichever expires first; members may be reappointed; vacancies shall be filled in the same manner as original appointments are made. Such ex officio members who shall collect data deemed essential to future legislative proposals and exchange information with the board shall be deemed engaged in legislative business while in attendance upon the business of the board and shall be limited to such allowances therefor as otherwise provided in RCW 44.04.120, the same to be paid from the 'gambling revolving fund' as being expenses relative to commission business."

On page 23, section 12, line 12 insert a new section to read as follows:

"NEW SECTION. Sec. 13. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions and shall take effect on May 20, 1974: PROVIDED, That this act shall be subject to referendum petition pursuant to Article II, section 1 of the Constitution of the State of Washington."

Renumber the remaining section consecutively.

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTIONS

On motion of Mrs. Wojahn, the House did not concur in the Senate amendment to page 3, line 14.

On motion of Mrs. Wojahn, the House did concur in the Senate amendments to page 4, line 21 and to page 7, line 28.

On motion of Mrs. Wojahn the House did not concur in the Senate amendment to page 10, line 28.



On motion of Mrs. Wojahn, the House did concur in the Senate amendments to page 12, line 12 and to page 13, lines 26 and to page 13 line 27.

On motion of Mrs. Wojahn, the House did not concur in the Senate amendment to page 13, line 25, and to page 14 beginning on line 7.

On motion of Mrs. Wojahn, the House did concur in the Senate amendments to page 15, line 13; page 15, line 23; page 15, line 26; and to page 15, line 31.

Mrs. Wojahn moved that the House do concur in the Senate amendment to page 16, line 23.

POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Wojahn, we discussed this in Commerce Committee and we recognize that there is a problem with the language contained in this amendment. Is it your understanding that the intent of this amendment to allow the Gambling Commission, where they feel it appropriate, to authorize a bona fide charitable nonprofit organization to charge an admission fee for a social card game or other game, which admission fee might not only defray the expenses, but might also produce some funds should such an event be used for fund raising purposes?"

Mrs. Wojahn: "That is exactly the intent of the amendment, Representative Kuehnle."

The amendment was adopted.

MOTION

Mrs. Wojahn moved that the House do concur in the Senate amendment to page 19, line 15.

Representatives Wojahn, Kuehnle and Tilly spoke in favor of the motion, and Representative Wilson spoke against it.

POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mrs. North (Lois).

Mrs. North (Lois): "During the discussions on this, was there any type of statements made by local law enforcement officers concerning this proposal?"

Mrs. Wojahn: "No, there wasn't. I don't remember any law enforcement officer suggesting a problem. Now we might remember that Chief Bjork, who is the Director of the Gambling Commission and was the Chief of Police in a medium-sized city at one time, was not supportive of this amendment."

The motion to concur carried.

#### MOTIONS

On motion of Mrs. Wojahn, the House did concur in the Senate amendment to page 19, line 18 and to page 21, line 14.

Mrs. Wojahn moved that the House do not concur in the Senate amendment to page 21, line 19.

Mr. Kuehnle moved that the House do concur in the Senate amendment to page 21, line 19.

Mr. Kuehnle spoke in favor of the motion to concur, and Mrs. Wojahn spoke against it.

Mr. Conner spoke in favor of the motion to concur and Mr. Kuehnle spoke again in favor.

The motion to concur in the Senate amendment to page 21, line 19 was carried.

#### MOTIONS

On motion of Mrs. Wojahn, the House did not concur in the Senate amendments to page 21, line 21; and to page 22, line 2.

On motion of Mrs. Wojahn, the House did concur in the Senate amendment to page 22, line 30.

Mrs. Wojahn moved that the House do concur in the Senate amendment to page 23, line 5.

Representatives Wojahn and Charette spoke in favor of the motion.

The motion was carried.

On motion of Mrs. Wojahn, the House did concur in the Senate amendment to page 23, line 5, adding a new section 11.

On motion of Mrs. Wojahn, the House did not concur in the Senate amendment to page 23, adding a new section 13.

On motion of Mrs. Wojahn, the House did concur in the Senate amendments to the title on line 5 and on line 10.

On motion of Mrs. Wojahn, the House did not concur in the Senate amendment to the title on line 15.

#### SENATE AMENDMENTS TO HOUSE BILL

February 7, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 474 with the following amendments:

On page 1, line 1 of the title after "employees;" and before "amending" insert "and"

On page 1, line 2 of the title after "41.06.250" strike everything down to the period in line 3.'

On page 1, section 1, beginning on line 7 strike the remainder of the bill and insert the following:

"(1) Solicitation for or payment to any partisan, political organization or for any partisan, political purpose of any compulsory assessment or involuntary contribution is prohibited; PROVIDED, HOWEVER, That officers of employee associations shall not be prohibited from soliciting dues or contributions from members of their associations. No ((person)) elected official or employee of the state or a political subdivision thereof shall solicit on state property or property of a political subdivision of this state any contribution to be used for ((partisan)) political purposes.

(2) Employees of the state or any political subdivision thereof shall have the right to vote and to express their opinions on all political subjects and candidates ((; but shall not)) and to hold any political party office or participate in the management of a partisan, political campaign. Nothing in this section shall prohibit ((a classified)) an employee of the state or any political subdivision thereof from participating fully in campaigns relating to constitutional amendments, referendums, initiatives, and issues of a similar character, and for nonpartisan offices.

(3) ((Nothing in this section shall prohibit appointment; nomination or election to)) A classified civil service employee shall not hold a part time public office in a political subdivision of the state when the holding of such office is ((not)) incompatible with, ((nor)) or substantially interferes with, the discharge of official duties in state employment.

(4) For persons employed in state agencies or agencies of any political subdivision of the state the operation of which is financed in total or ((in part)) primarily by federal grant-in-aid funds political activity will be regulated by the rules and regulations of the United States civil service commission.

(5) The provisions of this section shall supersede all statutes, charter provisions, ordinances, resolutions, regulations, and requirements promulgated by the state or any subdivision thereof, including any provision of any county charter, insofar as they may be in conflict with the provisions of this section."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Smith moved that the House do concur in the Senate amendments to Engrossed House Bill No. 474.

Mr. Smith spoke in favor of the motion, and Mr. Brown spoke against it.

The motion was carried.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 474 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 474 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 57; nays, 38; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Pullen, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Honan, Hurley, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Not voting: Representatives Luders, and Mr. Speaker.

Engrossed House Bill No. 474 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 6, 1974

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 748 with the following amendments:

Strike all material after the enacting clause and insert the following:

## "PART I. GENERAL PROVISIONS

NEW SECTION. Section 1. On and after March 1, 1975:

(1) The provisions of this 1974 amendatory act shall apply to any wills of decedents dying thereafter;

(2) The provisions of this 1974 amendatory act shall apply to any proceedings in court then pending or thereafter commenced regardless of the time of the death of decedent except to the extent that in the opinion of the court the former procedure should be made applicable in a particular case in the interest of justice or because of infeasibility of application of the procedure of this 1974 amendatory act;

(3) Every personal representative including a person administering an estate of a minor or incompetent holding

an appointment on March 1, 1975, continues to hold the appointment, has the powers conferred by this 1974 amendatory act and is subject to the duties imposed with respect to any act occurring or done thereafter;

(4) An act done before March 1, 1975 in any proceeding and any accrued right is not impaired by this 1974 amendatory act. If a right is acquired, extinguished, or barred upon the expiration of a prescribed period of time which has commenced to run by the provisions of any statute before March 1, 1975, the provisions shall remain in force with respect to that right;

(5) Any rule of construction or presumption provided in this 1974 amendatory act applies to instruments executed before March 1, 1975 unless there is a clear indication of a contrary intent.

NEW SECTION. Sec. 2. (1) Sections 4 and 5 of this 1974 amendatory act shall constitute a new chapter in Title 11 RCW.

(2) Sections 52 and 53 of this 1974 amendatory act shall constitute a new chapter in Title 11 RCW.

(3) Part headings employed in this 1974 amendatory act do not constitute any part of the law and shall not be codified by the code reviser and shall not become a part of the Revised Code of Washington.

NEW SECTION. Sec. 3. If any provision of this 1974 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

PART II. PROVISIONS RELATING TO DISTRIBUTION  
OF PROPERTY

NEW SECTION. Sec. 4. (1) At any time after forty days from the date of the decedent's death, any person indebted to the decedent or having possession of tangible personal property or any instrument evidencing a debt, obligation, stock or chose in action belonging to the decedent, which property is subject to probate, shall make payment of the indebtedness or deliver the tangible personal property or an instrument evidencing a debt, obligation, stock, or chose in action to a person claiming to be the successor of the decedent upon receipt of an affidavit made by the successor stating:

(a) The successor's name and address;

(b) That the decedent was a resident of the state of Washington on the date of his death;

(c) That the value of the total estate of the decedent subject to probate, wherever located, less liens and encumbrances, does not exceed ten thousand dollars;

(d) That forty days have elapsed since the death of the decedent;

(e) That no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction;

(f) That all debts of the decedent including funeral and burial expenses have been paid or provided for;

(g) That the claiming successor has mailed notice identifying his claim to all other successors of the decedent and at least ten days have elapsed since said mailing, and the claiming successor is personally, or with

the written authority of all other successors of the decedent, entitled to full payment or delivery of the property; and

(h) That the claiming successor has mailed to the inheritance tax division of the state department of revenue a notification of his claim in such form as the department of revenue may prescribe, and that at least ten days have elapsed since said mailing; and

(2) A transfer agent of any security shall change the registered ownership on the books of a corporation from the decedent to the successor or successors upon the presentation of an affidavit as provided in subsection (1) of this section;

(3) Upon receipt of notification from the inheritance tax division of the state department of revenue that an inheritance tax report is requested, the holder of any property subject to claim by a successor hereunder shall withhold payment, delivery, transfer or issuance of such property until provided with an inheritance tax release.

(4) The terms 'successor' and 'successors' as used in this section and in section 5 of this 1974 amendatory act shall mean that person or those persons, other than creditors, who are entitled to the property of the decedent under his will or the laws of intestate succession as contained in this title.

NEW SECTION. Sec. 5. The person paying, delivering, or transferring personal property or the evidence thereof pursuant to section 4 of this 1974 amendatory act is discharged and released to the same extent as if he dealt with a personal representative of the decedent. He is not required to see to the application of the personal property or evidence thereof or to inquire into the truth of any statement in the affidavit or to the payment of any inheritance tax liability. If any person to whom an affidavit is delivered refuses to pay, deliver, or transfer any personal property or evidence thereof, it may be recovered or its payment, delivery, transfer, or issuance compelled upon proof of their right in a proceeding brought for the purpose by or on behalf of the persons entitled thereto.

If more than one affidavit is delivered with reference to the same personal property, the person to whom delivered may pay, deliver, transfer, or issue any personal property or evidence thereof in response to the first affidavit received, or alternately implead the money or other personal property into court for payment over to the person entitled thereto. Any person to whom payment, delivery, transfer, or issuance is made is answerable and accountable therefor to any personal representative of the estate or to any other person having a superior right.

Sec. 6. Section 11.04.015, chapter 145, Laws of 1965 as last amended by section 2, chapter 168, Laws of 1967 and RCW 11.04.015 are each amended to read as follows:

The net estate of a person dying intestate, or that portion thereof with respect to which the person shall have died intestate, shall descend subject to the provisions of RCW 11.04.250 and RCW 11.02.070, and shall be distributed as follows:

(1) Share of surviving spouse. The surviving spouse shall receive the following share:

(a) All of the decedent's share of the net community estate ((unless there be surviving issue or parents; in which event, the surviving spouse shall take one-half of the decedent's share of the net community estate)); and

(b) One-half of the net separate estate if the intestate is survived by issue; or

(c) Three-quarters of the net separate estate if there is no surviving issue, but the intestate is survived by one or more of his parents, or by one or more of the issue of one or more of his parents; or

(d) All of the net separate estate, if there is no surviving issue nor parent nor issue of parent.

(2) Shares of others than surviving spouse. The share of the net estate not distributable to the surviving spouse, or the entire net estate if there is no surviving spouse, shall descend and be distributed as follows:

(a) To the issue of the intestate; if they are all in the same degree of kinship to the intestate, they shall take equally, or if of unequal degree, then those of more remote degree shall take by representation.

(b) If the intestate not be survived by issue, then to the parent or parents who survive the intestate.

(c) If the intestate not be survived by issue or by either parent, then to those issue of the parent or parents who survive the intestate; if they are all in the same degree of kinship to the intestate, they shall take equally, or, if of unequal degree, then those of more remote degree shall take by representation.

(d) If the intestate not be survived by issue or by either parent, or by any issue of the parent or parents who survive the intestate, then to the grandparent or grandparents who survive the intestate; if both maternal and paternal grandparents survive the intestate, the maternal grandparent or grandparents shall take one-half and the paternal grandparent or grandparents shall take one-half.

(e) If the intestate not be survived by issue or by either parent, or by any issue of the parent or parents or by any grandparent or grandparents, then to those issue of any grandparent or grandparents who survive the intestate; taken as a group, the issue of the maternal grandparent or grandparents shall share equally with the issue of the paternal grandparent or grandparents, also taken as a group; within each such group, all members share equally if they are all in the same degree of kinship to the intestate, or, if some be of unequal degree, then those of more remote degree shall take by representation.

Sec. 7. Section 11.52.010, chapter 145, Laws of 1965 as last amended by section 2, chapter 12, Laws of 1971 ex. sess. and RCW 11.52.010 are each amended to read as follows:

If it is made to appear to the satisfaction of the court that no homestead has been claimed in the manner provided by law, either prior or subsequent to the death of the person whose estate is being administered, then the court, after hearing and upon being satisfied that the funeral expenses, expenses of last sickness and of

administration have been paid or provided for, and upon petition for that purpose, shall award and set off to the surviving spouse, if any, property of the estate, either community or separate, not exceeding the value of ((fifteen)) twenty thousand dollars at the time of death, exclusive of general taxes and special assessments which were liens at the time of the death of the deceased spouse, and exclusive of the unpaid balance of any contract to purchase, mortgage, or mechanic's, laborer's or materialmen's liens upon the property so set off, and exclusive of funeral expenses, expenses of last sickness and administration, which expenses may be deducted from the gross value in determining the value to be set off to the surviving spouse; provided that the court shall have no jurisdiction to make such award unless the petition therefor is filed with the clerk within six years from the date of the death of the person whose estate is being administered.

Sec. 8. Section 11.52.012, chapter 145, Laws of 1965 and RCW 11.52.012 are each amended to read as follows:

Such award shall be made by an order or judgment of the court and shall vest the absolute title, and thereafter there shall be no further administration upon such portion of the estate so set off, but the remainder of the estate shall be settled as other estates: PROVIDED, That no property of the estate shall be awarded or set off, as in RCW 11.52.010 through 11.52.024 provided, to a surviving spouse who has feloniously killed the deceased spouse: PROVIDED FURTHER, That if it shall appear to the court, either (1) that there are ((minor or incompetent)) children of the deceased by a former marriage or by adoption prior to decedent's marriage to petitioner or (2) that the petitioning surviving spouse has abandoned his or her minor children or wilfully and wrongfully failed to provide for them, or (3) if such surviving spouse or minor children are entitled to receive property including insurance by reason of the death of the deceased spouse in the sum of ((ten)) twenty thousand dollars, or more, then the award in lieu of homestead and exemptions shall lie in the discretion of the court, and that whether there shall be an award and the amount thereof shall be determined by the court, who shall enter such decree as shall be just and equitable but not in excess of the award provided herein.

Sec. 9. Section 11.52.020, chapter 145, Laws of 1965 as last amended by section 3, chapter 12, Laws of 1971 ex. sess. and RCW 11.52.020 are each amended to read as follows:

In event a homestead has been, or shall be selected in the manner provided by law, whether the selection of such homestead results in vesting the complete or partial title in the survivor, it shall be the duty of the court, upon petition of any person interested, and upon being satisfied that the value thereof does not exceed ((fifteen)) twenty thousand dollars at the time of the death, exclusive of general taxes and special assessments which were liens at the time of the death of the deceased and exclusive of the unpaid balance of any contract to purchase, mortgage, or mechanic's, laborer's, or materialmen's liens thereon, and exclusive of funeral expenses, expenses of last sickness



and of administration, which expenses may be deducted from the gross value in determining the value to be set off to the surviving spouse, to enter a decree, upon notice as provided in RCW 11.52.014 or upon longer notice if the court so orders, setting off and awarding such homestead to the survivor, thereby vesting the title thereto in fee simple in the survivor: PROVIDED, That if there be any incompetent heirs of the decedent, the court shall appoint a guardian ad litem for such incompetent heir who shall appear at the hearing and represent the interest of such incompetent heir.

Sec. 10. Section 11.52.022, chapter 145, Laws of 1965 as amended by section 4, chapter 12, Laws of 1971 ex. sess. and RCW 11.52.022 are each amended to read as follows:

If the value of the homestead, exclusive of all such liens, be less than ((fifteen)) twenty thousand dollars, the court, upon being satisfied that the funeral expenses, expenses of last sickness and of administration, have been paid or provided for, shall set off and award additional property, either separate or community, in lieu of such deficiency, so that the value of the homestead, exclusive of all such liens and expenses when added to the value of the other property awarded, exclusive of all such liens and expenses shall equal ((fifteen)) twenty thousand dollars: PROVIDED, That if it shall appear to the court, either (1) that there are ((incompetent)) children of the deceased by a former marriage or by adoption prior to decedent's marriage to petitioner, or (2) that the petitioning surviving spouse has abandoned his or her minor children or wilfully and wrongfully failed to provide for them, or (3) ((if)) that such surviving spouse ((or incompetent children are)) is, or any minor child entitled to an award under RCW 11.52.030 is, entitled to receive property including insurance by reason of the death of the deceased spouse, exclusive of property confirmed to the surviving spouse as his or her one-half interest in community property, in the sum of ((fifteen)) twenty thousand dollars, or more, then the award of property in addition to the homestead, where the homestead is of less than ((fifteen)) twenty thousand dollars in value, shall lie in the discretion of the court, and that whether there shall be an award in addition to the homestead and the amount thereof shall be determined by the court, who shall enter such decree as shall be just and equitable, but not in excess of the award provided herein.

Sec. 11. Section 11.76.090, chapter 145, Laws of 1965 as amended by section 2, chapter 28, Laws of 1971 and RCW 11.76.090 are each amended to read as follows:

When a decree of distribution is made by the court in administration upon a decedent's estate and distribution is ordered to a person under the age of eighteen years, of a sum of ((five hundred)) one thousand dollars or less, the court, in such order of distribution, shall order the same paid ((to the clerk of the court wherein administration of such estate is pending, and the same shall be paid by the clerk)), for the use and as the property of said minor, to the person named in said order of distribution to receive the same, without requiring bond or appointment of any guardian.

Sec. 12. Section 11.76.095, chapter 145, Laws of 1965 as amended by section 3, chapter 28, Laws of 1971 and RCW 11.76.095 are each amended to read as follows:

When a decree of distribution is made by the court in administration upon a decedent's estate or when distribution is made by ((an executor)) a personal representative under a nonintervention will and distribution is ordered under such decree or authorized under such nonintervention will to a person under the age of eighteen years, ((and the value of such property or money is five thousand dollars or less and there is no general guardian of the incompetent;)) the court ((may)) shall require either that

(1) the money be deposited in a bank or trust company or be invested in an account in an insured ((savings and loan association)) financial institution for the benefit of the ((incompetent)) minor subject to withdrawal only upon the order of the court in the original probate proceeding, or upon said minor's attaining the age of eighteen years and furnishing proof thereof satisfactory to the depository, or

(2) ((in all other cases)) a general guardian shall be appointed and qualify and the money or ((other)) property be paid or delivered to such guardian prior to the discharge of the personal representative in the original probate proceeding.

This section shall not bar distribution under RCW 11.76.090 as now or hereafter amended.

#### PART III. PROVISIONS RELATING TO NONINTERVENTION POWERS

Sec. 13. Section 11.68.010, chapter 145, Laws of 1965 as amended by section 1, chapter 19, Laws of 1969 and RCW 11.68.010 are each amended to read as follows:

((In all cases where it is provided in the last will and testament of the deceased that the estate shall be settled in a manner provided in such last will and testament; and that such estate shall be settled without the intervention of any court or courts; and where it duly appears to the court; by the inventory filed; and other proof; that the estate is fully solvent; which fact may be established by an order of the court on the filing of the inventory; it shall not be necessary to take out letters testamentary or of administration; except to admit the will to probate and to file a true inventory of all the property of such estate and give notice to creditors and to the body having charge of the collection of inheritance tax; in the manner required by law:

After the probate of any such will and the filing of the inventory all such estates may be managed and settled without the intervention of the court, if the last will and testament so provides. However, when the estate is ready to be closed the court, upon application, shall have authority and it shall be its duty, to make and cause to be entered a decree finding and adjudging that all debts have been paid; finding and adjudging also the heirs and those entitled to take under the will and distributing the property to the persons entitled thereto. Such decree shall be made after notice given as provided for like decrees in the estates of persons dying intestate. If no

application for a final decree is filed, the executor shall, when the administration of the estate has been completed, file a written declaration to that effect, and thereupon his powers shall cease.

The executor of a nonintervention will shall not be deemed to waive his nonintervention powers by obtaining any order appointing appraisers, fixing or allowing appraiser's fees; dispensing with appraisement; or approving or allowing creditors' claims; not by obtaining any other order or decree.) Subject to the provisions of this chapter, if the estate of a decedent, who died either testate or intestate, is solvent, and if the personal representative is other than a creditor of the estate, such estate shall be managed and settled without the intervention of the court; the fact of solvency shall be established by the entry of an order of solvency. An order of solvency may be entered at the time of the appointment of the personal representative or at any time thereafter where it appears to the court by the petition of the personal representative, or the inventory filed, and/or other proof submitted, that the estate of the decedent is solvent, and that notice of the application for an order of solvency has been given to those persons entitled thereto when required by RCW 11.68.040 as now or hereafter amended.

Sec. 14. Section 11.68.020, chapter 145, Laws of 1965 and RCW 11.68.020 are each amended to read as follows:

((In all cases, if the party named in such will as executor declines to execute the trust or dies or is otherwise disabled for any cause from acting as such executor, letters testamentary or of administration shall issue and the estate be settled as in other cases.) Unless court supervision of an estate shall be specifically required under the terms and provisions of a will, a decedent shall be deemed to have intended any and all personal representatives named in his will to have the power to administer his estate without the intervention of court, and any personal representative or personal representatives named in the decedent's will shall acquire nonintervention powers without prior notice, upon meeting the requirements of RCW 11.68.010 as now or hereafter amended.

Sec. 15. Section 11.68.030, chapter 145, Laws of 1965 and RCW 11.68.030 are each amended to read as follows:

((If the person named in the will fails to execute the trust faithfully and to take care and promote the interest of all parties; then, upon petition of a creditor of the estate, or of any of the heirs, or of any person on behalf of any minor heir, the court shall cite such person to appear before it, and if, upon hearing of the petition it appears that the trust in such will is not faithfully discharged, and that the parties interested, or any of them, have been or are about to be damaged by the doings of the executor, then, in the discretion of the court, administration may be had and required as is required in the administration of estates; and in all such cases the costs of the citation and hearing shall be charged against the party failing and neglecting to execute the trust as required in the will.) Subject to giving prior notice when required under RCW 11.68.040 as now or hereafter amended and the entry of an order of solvency, the personal

representative, other than a creditor, of an estate of a decedent who died intestate or the personal representative, other than a creditor, with the will annexed of the estate of a decedent who died testate shall the power to administer the estate without further intervention of court after the entry of an order of solvency and furnishing bond when required.

Sec. 16. Section 11.68.040, chapter 145, Laws of 1965 and RCW 11.68.040 are each amended to read as follows:

((Executors acting under nonintervention wills may, if the estate has been adjudged solvent, mortgage, lease, sell, exchange, and convey the real and personal property of the testator, and borrow money on the general credit of the estate, without an order of the court for that purpose and without notice, approval, or confirmation, and in all other respects administer and settle the estate without the intervention of the court. The other party to any such transaction and his successors in interest shall be entitled to have it conclusively presumed that such transaction is necessary for the administration of the estate.))

If the decedent shall have died intestate, or the petitioning personal representative is not named in the will as such, and in either case the petitioner wishes to acquire nonintervention powers, the personal representative shall, after filing the petition for order of solvency, give notice of his intention to apply to the court for nonintervention powers to all heirs, devisees, legatees of the decedent, and all parties who have requested notice under RCW 11.28.240, who have not, in writing, either waived notice of the hearing or consented to the entry of an order of solvency; said notice shall be given at least ten days prior to the date fixed by the personal representative for the hearing on his petition for an order of solvency; PROVIDED, That no prior notice of said hearing shall be required when the personal representative is:

(1) The surviving spouse of the decedent and the decedent left no issue of a prior marriage; or

(2) A bank or trust company authorized to do trust business in the state of Washington.

The notice required by this section shall be sent by regular mail and proof of mailing of said notice shall be by affidavit filed in the cause. Said notice shall contain the name of the decedent's estate, the probate cause number, the name and address of the personal representative, and shall state in substance as follows:

(a) The personal representative has petitioned the superior court of \_\_\_\_\_ county, state of Washington, for the entry of an order of solvency and a hearing on said petition will be held on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.:

(b) The petition for order of solvency has been filed with said court;

(c) Upon the entry of an order of solvency by the court, the personal representative will be entitled to

administer and close the decedent's estate without further court intervention or supervision;

(d) Any heir, legatee, or devisee shall have the right to appear at the time of the hearing on the petition for an order of solvency to object to the granting of nonintervention powers to the personal representative.

If no notice is required, or all heirs, legatees, and devisees have either waived notice of said hearing or consented to the entry of an order of solvency as provided in this section, the court may hear the petition for an order of solvency at any time.

NEW SECTION. Sec. 17. There is added to chapter 11.68 RCW a new section to read as follows:

If at the time set for the hearing upon the petition for the entry of an order of solvency, any party entitled to notice under the provisions of RCW 11.68.040 as now or hereafter amended, shall appear and object to the granting of nonintervention powers to the personal representative of the estate, the court shall consider said objections, if any, and the entry of an order of solvency shall be discretionary with the court upon being satisfied by proof as required in RCW 11.68.010 as now or hereafter amended. The court may restrict the powers of the personal representative in such manner as the court determines and shall thereupon restrict the powers as ordered. If no heir, legatee, or devisee of the decedent shall appear at the time of the hearing to object to the entry of an order of solvency, the court shall enter an order of solvency upon being satisfied by proof as required in RCW 11.68.010 as now or hereafter amended.

NEW SECTION. Sec. 18. There is added to chapter 11.68 RCW a new section to read as follows:

If, after the entry of an order of solvency, any personal representative of the estate of the decedent shall die, resign, or otherwise become disabled from any cause from acting as the nonintervention personal representative, the successor personal representative, other than a creditor, shall administer the estate of the decedent without the intervention of court after notice and hearing as required by sections 16 and 17 of this 1974 amendatory act, unless at the time of said hearing objections to the granting of nonintervention powers to such successor personal representative shall be made by an heir, legatee, devisee, or creditor of the decedent, and unless the court, after hearing said objections shall refuse to grant nonintervention powers to such successor personal representative. If no heir, legatee, devisee, or creditor of the decedent shall appear at the time of the hearing to object to the granting of nonintervention powers to such successor personal representative, the court shall enter an order granting nonintervention powers to the successor personal representative.

NEW SECTION. Sec. 19. There is added to chapter 11.68 RCW a new section to read as follows:

If any personal representative who has been granted nonintervention powers fails to execute his trust faithfully or is subject to removal for any reason specified in RCW 11.28.250 as now or hereafter amended, upon petition of any unpaid creditor of the estate who has

filed a claim or any heir, devisee, legatee, or of any person on behalf of any incompetent heir, devisee, or legatee, such petition being supported by affidavit which makes a prima facie showing of cause for removal or restriction of powers, the court shall cite such personal representative to appear before it, and if, upon hearing of the petition it appears that said personal representative has not faithfully discharged said trust or is subject to removal for any reason specified in RCW 11.28.250 as now or hereafter amended, then, in the discretion of the court said personal representative may be removed and a successor appointed with such powers as the court may determine, and in the event the court shall restrict the powers of the personal representative in any manner, it shall endorse the words 'Powers restricted' upon the original order of solvency together with the date of said endorsement, and in all such cases the cost of the citation, hearing, and reasonable attorney's fees may be awarded as the court determines.

NEW SECTION. Sec. 20. There is added to chapter 11.68 RCW a new section to read as follows:

After such notice as the court may require, the order of solvency shall be vacated upon the petition of any personal representative, heir, legatee, devisee, or creditor, if supported by proof satisfactory to the court that said estate has become insolvent.

If, after hearing, the court shall vacate the prior order of solvency, the court shall endorse the term 'Vacated' or 'Powers restricted' upon the original order of solvency together with the date of said endorsement.

NEW SECTION. Sec. 21. There is added to chapter 11.68 RCW a new section to read as follows:

Any personal representative acting under nonintervention powers, may mortgage, encumber, lease, sell, exchange, and convey the real and personal property of the decedent, and borrow money on the general credit of the estate, without an order of court for that purpose and without notice, approval or confirmation, and in all other respects administer and settle the estate of the decedent without intervention of court. Any other party to any such transaction and his successors in interest shall be entitled to have it conclusively presumed that such transaction is necessary for the administration of the decedent's estate.

NEW SECTION. Sec. 22. There is added to chapter 11.68 RCW a new section to read as follows:

(1) When the estate is ready to be closed, the court, upon application by the personal representative who has nonintervention powers, shall have the authority and it shall be its duty, to make and cause to be entered a decree which either:

(a) Finds and adjudges that all approved claims of the decedent have been paid, finds and adjudges the heirs of the decedent or those persons entitled to take under his will, and distribute the property of the decedent to the persons entitled thereto; or

(b) Approves the accounting of the personal representative and settles the estate of the decedent in the manner provided for in the administration of those

estates in which the personal representative has not acquired nonintervention powers.

(2) Either decree provided for in this section shall be made after notice given as provided for in the settlement of estates by a personal representative who has not acquired nonintervention powers. The petition for either decree provided for in this section shall state the fees paid or proposed to be paid to the personal representative, his attorneys, accountants, and appraisers, and any heir, devisee, or legatee whose interest in the assets of a decedent's estate would be reduced by the amount of said fee shall receive a copy of said petition with the notice of hearing thereon; at the request of the personal representative or any said heir, devisee, or legatee, the court shall, at the time of the hearing on either petition, determine the reasonableness of said fees. The criteria for and reasonable range of fees reviewed shall be as established by court rules issued by the state supreme court. The court shall take into consideration all criteria forming the basis for the determination of the amount of such fees as contained in the code of professional responsibility; in determining the reasonableness of the fees charged by any personal representative, accountants, and appraisers the court shall take into consideration the criteria forming the basis for the determination of attorney's fees, to the extent applicable, and any other factors which the court determines to be relevant in the determination of the amount of fees to be paid to such personal representative.

NEW SECTION. Sec. 23. There is added to chapter 11.68 RCW a new section to read as follows:

If a personal representative who has acquired nonintervention powers shall not apply to the court for either final decree provided for in section 22 of this 1974 amendatory act, the personal representative shall, when the administration of the estate has been completed, file a declaration to that effect, which declaration shall state as follows:

(1) The date of the decedent's death, and his residence at the time of death, whether or not the decedent died testate or intestate, and if testate, the date of his last will and testament and the date of the order admitting said will to probate;

(2) That each creditor's claim which was justly due and properly presented as required by law has been paid or otherwise disposed of by agreement with the creditor, and that the amount of state inheritance or federal estate tax due as the result of the decedent's death has been determined, settled, and paid;

(3) The personal representative has completed the administration of the decedent's estate without court intervention, and the estate is ready to be closed;

(4) If the decedent died intestate, the names, addresses (if known), and relationship of each heir of the decedent, together with the distributive share of each said heir;

(5) The amount of fees paid or to be paid to each of the following: (a) Personal representative or representatives, (b) attorney or attorneys, (c) appraiser

or appraisers, and (d) accountant or accountants. That the personal representative believes said fees to be reasonable and does not intend to obtain court approval of the amount of said fees or to submit an estate accounting to the court for approval.

Subject to the requirement of notice as provided in this section, unless an heir, devisee, or legatee of a decedent shall petition the court either for an order requiring the personal representative to obtain court approval of the amount of fees paid or to be paid to the personal representative, his attorneys, appraisers, or accountants, or for an order requiring an accounting, or both, within thirty days from the date of filing a declaration of completion of probate, the personal representative will be discharged and his powers cease thirty days after the filing of said declaration of completion of probate, and said declaration of completion of probate shall, at said time, be the equivalent of the entry of a decree of distribution in accordance with the provisions of chapter 11.76 RCW for all legal intents and purposes.

Within five days of the date of the filing of the declaration of completion, the personal representative or his attorney shall mail a copy of said declaration of completion to each heir, legatee, or devisee of the decedent (who has not waived notice of said filing, in writing, filed in the cause) together with a notice which shall be as follows:

CAPTION OF CASE

NOTICE OF FILING OF  
DECLARATION OF COMPLETION  
OF PROBATE

NOTICE IS HEREBY GIVEN that the attached Declaration of Completion of Probate was filed by the undersigned in the above-entitled court of the ..... day of ....., 19....; unless you shall file a petition in the above-entitled court requesting the court to approve the reasonableness of said fees, or for an accounting, or both, and serve a copy thereof upon the personal representative or his attorney, within thirty days after the date of said filing, the amount of fees paid or to be paid will be deemed reasonable, the acts of the personal representative will be deemed approved, and the Declaration of Completion of Probate will be final and deemed the equivalent of a Decree of Distribution entered under chapter 11.76 RCW.

If you file and serve a petition with the period specified, the undersigned will request the court to fix a time and place for the hearing of said petition, and you will be notified of the time and place thereof, by mail, or personal service, not less than ten days before the hearing on said petition.

Dated this ..... day of ....., 19 .....

.....  
Personal Representative

If all heirs, devisees, and legatees of the decedent shall waive, in writing, the notice required by this section, the personal representative shall be discharged and the declaration of completion of probate will become effective as a decree of distribution upon the date of filing thereof.



NEW SECTION. Sec. 24. There is added to chapter 11.68 RCW a new section to read as follows:

A personal representative who has acquired nonintervention powers in accordance with this chapter shall not be deemed to have waived his nonintervention powers by obtaining any order or decree during the course of his administration of the estate.

Sec. 25. Section 11.28.070, chapter 145, Laws of 1965 and RCW 11.28.070 are each amended to read as follows:

Administrators with the will annexed shall have the same authority as the executor named in the will would have had, and their acts shall be as effectual for every purpose: PROVIDED, That they shall not lease, mortgage, pledge, exchange, sell, or convey any real or personal property of the estate except under order of the court and pursuant to procedure under existing laws pertaining to the administration of estates in cases of intestacy, unless the powers expressed in the will are directory and not discretionary, or said administrator with will annexed shall have obtained nonintervention powers as provided in chapter 11.68 RCW.

Sec. 26. Section 11.28.280, chapter 145, Laws of 1965 and RCW 11.28.280 are each amended to read as follows:

If the personal representative of an estate dies, resigns, or the letters are revoked before the settlement of the estate, letters of administration of the estate remaining unadministered shall be granted to those to whom administration would have been granted if the original letters had not been obtained, or the person obtaining them had renounced administration, and the administrator de bonis non shall perform like duties and incur like liabilities as the former personal representative, and shall serve as administrator with will annexed de bonis non in the event a will has been admitted to probate. Said administrator de bonis non may, upon satisfying the requirements and complying with the procedures provided in chapter 11.68 RCW, administer the estate of the decedent without the intervention of court.

PART IV. PROVISIONS RELATING TO ADJUDICATIONS OF  
TESTACY OR

INTESTACY AND HEIRSHIP

Sec. 27. Section 11.20.020, chapter 145, Laws of 1965 as amended by section 1, chapter 126, Laws of 1969 ex. sess. and RCW 11.20.020 are each amended to read as follows:

(1) Applications for the probate of a will and for letters testamentary, or either, may be made to the judge of the court having jurisdiction and the court may immediately hear the proofs and either probate or reject such will as the testimony may justify. Upon such hearing the court shall make and cause to be entered a formal order, either establishing and probating such will, or refusing to establish and probate the same, and such order shall be conclusive except in the event of a contest of such will as hereinafter provided. All testimony in support of the will shall be reduced to writing, signed by the witnesses, and certified by the judge of the court. If the application for probate of a will does not request the appointment of a personal representative and the court

enters an adjudication of testacy establishing such will no further administration shall be required except as commenced pursuant to section 32 of this 1974 amendatory act.

(2) In addition to the foregoing procedure for the proof of wills, any or all of the attesting witnesses to a will may, at the request of the testator or, after his decease, at the request of the executor or any person interested under it, make an affidavit before any person authorized to administer oaths, stating such facts as they would be required to testify to in court to prove such will, which affidavit may be written on the will or may be attached to the will or to a photographic copy of the will. The sworn statement of any witness so taken shall be accepted by the court as if it had been taken before the court.

Sec. 28. Section 11.28.010, chapter 145, Laws of 1965 and RCW 11.28.010 are each amended to read as follows:

After ((probate of any will)) the entry of an order admitting a will to probate and appointing a personal representative, or personal representatives, letters testamentary shall be granted to the persons therein appointed executors. If a part of the persons thus appointed refuse to act, or be disqualified, the letters shall be granted to the other persons appointed therein. If all such persons refuse to act, letters of administration with the will annexed shall be granted to the person to whom administration would have been granted if there had been no will.

Sec. 29. Section 11.28.110, chapter 145, Laws of 1965 and RCW 11.28.110 are each amended to read as follows:

Application for letters of administration, or, application for an adjudication of intestacy and heirship without the issuance of letters of administration shall be made by petition in writing, signed and verified by the applicant or his attorney, and filed with the court, which petition shall set forth the facts essential to giving the court jurisdiction of the case, and state, if known, the names, ages and ((residences)) addresses of the heirs of the deceased and that the deceased died without a will. If the application for an adjudication of intestacy and heirship does not request the appointment of a personal representative and the court enters an adjudication of intestacy no further administration shall be required except as set forth in section 31 of this 1974 amendatory act.

Sec. 30. Section 11.28.237, chapter 145, Laws of 1965 as amended by section 2, chapter 70, Laws of 1969 and RCW 11.28.237 are each amended to read as follows:

Within twenty days after appointment, the personal representative of the estate of a decedent shall cause written notice of his said appointment, and of the pendency of said probate proceedings, to be served personally or mailed to each heir, legatee and devisee of the estate whose names and addresses are known to him, and proof of such mailing shall be made by affidavit and filed in the cause.

NEW SECTION. Sec. 31. There is added to chapter 11.28 RCW a new section to read as follows:

If no personal representative is appointed to administer the estate of a decedent, the person obtaining the adjudication of testacy, or intestacy and heirship, shall, cause written notice of said adjudication to be mailed to each heir, legatee, and devisee of the decedent, which notice shall contain the name of the decedent's estate and the probate cause number, and shall:

(1) State the name and address of the applicant;

(2) State that on the ..... day of ....., 19...., the applicant obtained an order from the superior court of ..... county, state of Washington, adjudicating that the decedent died intestate, or testate, whichever shall be the case;

(3) In the event the decedent died testate, enclose a copy of his will therewith, and state that the adjudication of testacy will become final and conclusive for all legal intents and purposes unless any heir, legatee, or devisee of the decedent shall contest said will within four months after the date the said will was adjudicated to be the last will and testament of the decedent;

(4) In the event that the decedent died intestate, set forth the names and addresses of the heirs of the decedent, their relationship to the decedent, the distributive shares of the estate of the decedent which they are entitled to receive, and that said adjudication of intestacy and heirship shall become final and conclusive for all legal intents and purposes, unless, within four months of the date of said adjudication of intestacy, a petition shall be filed seeking the admission of a will of the decedent for probate, or contesting the adjudication of heirship.

Notices provided for in this section may be served personally or sent by regular mail, and proof of such service or mailing shall be made by an affidavit filed in the cause.

NEW SECTION. Sec. 32. There is added to chapter 11.28 RCW a new section to read as follows:

Unless, within four months after the entry of the order adjudicating testacy or intestacy and heirship, and the mailing of the notice required in section 31 of this 1974 amendatory act any heir, legatee or devisee of the decedent shall offer a later will for probate or contest an adjudication of testacy in the manner provided in this title for will contests, or offer a will of the decedent for probate following an adjudication of intestacy and heirship, or contesting the determination of heirship, an order adjudicating testacy or intestacy and heirship without appointing a personal representative to administer a decedent's estate shall, as to those persons by whom notice was waived or to whom said notice was mailed, be deemed the equivalent of the entry of a final decree of distribution in accordance with the provisions of chapter 11.76 RCW for the purpose of:

(1) Establishing the decedent's will as his last will and testament and persons entitled to receive his estate thereunder; or

(2) Establishing the fact that the decedent died intestate, and those persons entitled to receive his estate as his heirs at law.

The right of an heir, legatee, or devisee to receive the assets of a decedent shall, to the extent otherwise provided by this title, be subject to the prior rights of the decedent's creditors and of any persons entitled to a homestead award or award in lieu of homestead or family allowance, and nothing contained in this section shall be deemed to alter or diminish such prior rights, or to prohibit any person for good cause shown, from obtaining the appointment of a personal representative to administer the estate of the decedent after the entry of an order adjudicating testacy or intestacy and heirship. However, if the petition for letters testamentary or of administration shall be filed more than four months after the date of the adjudication of testacy or of intestacy and heirship, the issuance of such letters shall not affect the finality of said adjudications.

PART V. PROVISIONS RELATING TO CREDITORS CLAIMS

Sec. 33. Section 11.40.010, chapter 145, Laws of 1965 as amended by section 7, chapter 168, Laws of 1967 and RCW 11.40.010 are each amended to read as follows:

Every personal representative shall, immediately after his appointment, cause to be published in a legal newspaper published in the county in which the estate is being administered, a notice that he has been appointed and has qualified as such personal representative, and therewith a notice to the creditors of the deceased, requiring all persons having claims against the deceased to serve the same on the personal representative or his attorney of record, and file an executed copy thereof with the clerk of the court, ((together with proof of such service,)) within four months after the date of the first publication of such notice or within four months after the date of the filing of the copy of said notice to creditors with the clerk of the court, whichever is the later. Such notice shall be published once in each week for three successive weeks and a copy of said notice shall be filed with the clerk of the court. If a claim be not filed within the time aforesaid, it shall be barred, except under those provisions included in RCW 11.40.011. Proof by affidavit of the publication of such notice shall be filed with the court by the personal representative. In cases where all the property is awarded to the widow, husband, or children as in this title provided, the notice to creditors herein provided for may be omitted.

Sec. 34. Section 11.40.020, chapter 145, Laws of 1965 and RCW 11.40.020 are each amended to read as follows:

Every claim ((served and filed as above provided shall be supported by the affidavit of the claimant that the amount is justly due, that no payments have been made thereon, and that there are no offsets to the same to the knowledge of the claimant)) shall be signed by the claimant, or his attorney, or any person who is authorized to sign claims on his, her, or its behalf, and shall contain the following information:

- (1) The name and address of the claimant;
- (2) The name, business address (if different from that of the claimant), and nature of authority of any person signing the claim on behalf of the claimant;

(3) A written statement of the facts or circumstances constituting the basis upon which the claim is submitted;

(4) The amount of the claim;

(5) If the claim is secured, unliquidated or contingent, or not yet due, the nature of the security, the nature of the uncertainty, and due date of the claim: PROVIDED HOWEVER, That failure to describe correctly the security, nature of any uncertainty, or the due date of a claim not yet due, if such failure is not substantially misleading, does not invalidate the presentation made.

Claims need not be supported by affidavit.

Sec. 35. Section 11.40.030, chapter 145, Laws of 1965 and RCW 11.40.030 are each amended to read as follows:

(When a claim, accompanied by the affidavit required in RCW 11.40.020 has been served and filed, it shall be the duty of the personal representative to indorse thereon his allowance or rejection, with the day and date thereof. If he allow the claim, it shall be presented to the judge of the court, who shall in the same manner indorse on it his allowance or rejection, or he may by order allow or reject the claim. If the personal representative reject the claim in whole or in part, he shall notify the claimant forthwith of said rejection and file in the office of the clerk an affidavit showing such notification and the date thereof. Such notification shall be by personal service or registered or certified mail and shall state that the holder of the rejected claim must bring suit in the proper court against the personal representative within thirty days after notification of the rejection; otherwise the claim shall be forever barred.

If the personal representative shall neglect for the period of sixty days after service upon him or his attorney to act upon any such claim, the claimant may take the matter up before the court and the court may require the personal representative to act on such claim and in its discretion may impose costs and attorney's fees.) Unless the personal representative shall, within six months after the date of first publication of notice to creditors, have obtained an order extending the time for his allowance or rejection of claims timely and properly served and filed, all claims presented within the time and in the manner provided in RCW 11.40.010 and 11.40.020 as now or hereafter amended, shall be deemed allowed and may not thereafter be rejected, unless the personal representative shall, within six months after the date of first publication of notice to creditors, or any extended time, notify the claimant of its rejection, in whole or in part; if the personal representative shall reject the claim, in whole or in part, he shall notify the claimant of said rejection and file in the office of the clerk, an affidavit showing such notification and the date thereof. Said notification shall be by personal service or certified mail addressed to the claimant at his address as stated in the claim; if a person other than the claimant shall have signed said claim for or on behalf of the claimant, and said person's business address as stated in said claim is different from that of the claimant, notification of rejection shall also be made by personal service or certified mail upon said person; the date of the postmark shall be the date of notification.

The notification of rejection shall advise the claimant, and the person making claim on his, her, or its behalf, if any, that the claimant must bring suit in the proper court against the personal representative within thirty days after notification of rejection or before expiration of the time for serving and filing claims against the estate, whichever period is longer, and that otherwise the claim will be forever barred.

The personal representative may, either before or after rejection of any claim compromise said claim, whether due or not, absolute or contingent, liquidated or unliquidated, if it appears to the personal representative that such compromise is in the best interests of the estate.

Sec. 36. Section 11.40.040, chapter 145, Laws of 1965 and RCW 11.40.040 are each amended to read as follows:

Every claim which has been allowed by the personal representative ((and the said judge;)) shall be ranked among the acknowledged debts of the estate to be paid in the course of administration.

Sec. 37. Section 11.40.060, chapter 145, Laws of 1965 and RCW 11.40.060 are each amended to read as follows:

When a claim is rejected by ((either)) the personal representative ((or the court)), the holder must bring suit in the proper court against the personal representative within thirty days after notification of the rejection or before expiration of the time for serving and filing claims against the estate, whichever period is longer, otherwise the claim shall be forever barred.

Sec. 38. Section 11.40.110, chapter 145, Laws of 1965 and RCW 11.40.110 are each amended to read as follows:

Whenever any claim shall have been filed and presented to a personal representative ((and the court)), and a part thereof shall be allowed, the amount of such allowance shall be stated in the indorsement. If the creditor shall refuse to accept the amount so allowed in satisfaction of his claim, he shall recover no costs in any action he may bring against the personal representative unless he shall recover a greater amount than that offered to be allowed, exclusive of interest and costs.

#### PART VI. PROVISIONS RELATING TO BANKS, TRUST COMPANIES, ACCOUNTS

Sec. 39. Section 30.20.020, chapter 33, Laws of 1955 as amended by section 2, chapter 280, Laws of 1961 and RCW 30.20.020 are each amended to read as follows:

On the death of any depositor of any bank or trust company, such bank or trust company may pay to the surviving spouse, the moneys in said bank or trust company on deposit to the credit of said deceased depositor in cases where the amount of deposit does not exceed the sum of one thousand dollars upon receipt of an affidavit from the surviving spouse, to the effect that the depositor died ((intestate)) and no executor or administrator has been appointed for the depositor's estate, and the depositor had on deposit in ((all banks and trust companies within the state of Washington)) said bank or trust company money not exceeding the sum of one thousand dollars. The payment of such deposit made in good faith to the spouse making the affidavit shall be a full acquittance and release of the bank for the amount of the deposit so paid.

No probate proceeding shall be necessary to establish the right of said surviving spouse to withdraw said deposits upon the filing of said affidavit: PROVIDED, HOWEVER, Whenever an administrator is appointed in an estate where a withdrawal of deposits has been had in compliance with this section, the spouse so withdrawing said deposits shall account for the same to the administrator. The bank or trust company may also pay out the moneys on deposit to the credit of the deceased upon presentation of an affidavit as provided in section 4 of this 1974 amendatory act.

Sec. 40. Section 32.12.020, chapter 13, Laws of 1955 as last amended by section 2, chapter 55, Laws of 1969 and RCW 32.12.020 are each amended to read as follows:

The sums deposited with any savings bank, together with any dividends or interest credited thereto, shall be repaid to the depositors thereof respectively, or to their legal representatives, after demand in such manner, and at such times, and under such regulations, as the board of trustees shall prescribe, subject to the provisions of this section and RCW 32.12.030. Such regulations shall be posted in a conspicuous place in the room where the business of such savings bank shall be transacted, and shall be available to depositors upon request. All such rules and regulations, and all amendments thereto, from time to time in effect, shall be binding upon all depositors.

(1) Such bank may at any time by a resolution of its board of trustees require a notice of not more than six months before repaying deposits, in which event no deposit shall be due or payable until the required notice of intention to withdraw the same shall have been personally given by the depositor: PROVIDED, That such bank at its option may pay any deposit or deposits before the expiration of such notice. But no bank shall agree with its depositors or any of them in advance to waive the requirement of notice as herein provided.

(2) Except as provided in subdivisions (3), (4), and (5) of this section the savings bank shall not pay any dividend, or interest, or deposit, or portion thereof, or any check drawn upon it by a depositor unless the certificate of deposit is produced, or the passbook of the depositor is produced and the proper entry is made therein, at the time of the payment.

(3) The board of trustees of any such bank may by its bylaws provide for making payments in cases of loss of passbook or certificate of deposit, or other exceptional cases where the passbooks or certificates of deposit cannot be produced without loss or serious inconvenience to depositors, the right to make such payments to cease when so directed by the supervisor upon his being satisfied that such right is being improperly exercised by any such bank; but payments may be made at any time upon the judgment or order of a court.

(4) The board of trustees of any such bank may by its bylaws provide for making payments to depositors at their request, of dividends or interest payable on any deposit, without requiring the production of the passbook or certificate of deposit of the depositor, and any payment made in accordance with any such request and the receipt or

acquittance of the one to whom such payment is made shall be a valid and sufficient release and discharge to such savings bank for all payments made on account of such request prior to receipt by such savings bank of notice in writing not to pay such sums in accordance with the terms of such request.

(5) The issuance of a passbook or certificate of deposit may be omitted for any account if a ledger record thereof is maintained in lieu of a passbook or certificate of deposit on which shall be entered deposits, withdrawals, and interest credited: PROVIDED, That in any event a passbook or certificate of deposit shall be issued upon the request of any depositor.

(6) If any person dies leaving in any such bank an account on which the balance due him does not exceed one thousand dollars and no executor or administrator of his estate has been appointed, such bank may in its discretion pay the balance of his account to his widow (or if the decedent was a married woman, then to her husband), next of kin, funeral director, or other creditor who may appear to be entitled thereto. As a condition of such payment such bank may require proof by affidavit as to the parties in interest, the filing of proper waivers, the execution of a bond of indemnity with surety or sureties by the person to whom the payment is to be made, and a proper receipt and acquittance for such payment. For any such payment pursuant to this section such bank shall not be liable to the decedent's executor or administrator thereafter appointed, unless the payment was made within six months after the decedent's death, and an action to recover the amount is commenced within six months after the date of payment. On the death of any depositor of any savings bank, the bank may also pay out the moneys on deposit to the credit of the deceased upon presentation of an affidavit as provided in section 4 of this 1974 amendatory act.

Sec. 41. Section 46, chapter 235, Laws of 1945 as amended by section 6, chapter 246, Laws of 1963 and RCW 33.20.080 are each amended to read as follows:

If any person shall die having any savings account in an association amounting to not more than one thousand dollars, and the association has no knowledge that an executor or administrator has been appointed, such association may pay such account to the surviving spouse, next of kin, funeral director or other creditor who may appear entitled thereto. For any such payment, the association may require such proofs, waivers, indemnity and receipt and acquittance as it may deem proper. For any payment made hereunder, the association shall not be liable to the decedent's executor or administrator. On the death of any person having any savings account in an association, the association may also pay out the moneys on deposit to the credit of the deceased upon presentation of an affidavit as provided in section 4 of this 1974 amendatory act.

Sec. 42. Section 2, chapter 139, Laws of 1939 as amended by section 1, chapter 210, Laws of 1967 and RCW 49.48.120 are each amended to read as follows:

If at the time of the death of any person, his employer is indebted to him for work, labor, and services performed,



and no executor or administrator of his estate has been appointed, such employer shall upon the request of the surviving spouse forthwith pay said indebtedness, in such an amount as may be due not exceeding the sum of one thousand dollars, to the said surviving spouse or if the decedent leaves no surviving spouse, then to the child or children, or if no children, then to the father or mother of said decedent: PROVIDED, HOWEVER, That if by virtue of a community property agreement between the decedent and the surviving spouse, which meets the requirements of RCW 26.16.120, the right to such indebtedness became the sole property of the surviving spouse upon the death of the decedent, the employer shall pay to the surviving spouse the total of such indebtedness or that portion which is governed by the community property agreement upon presentation of said agreement accompanied by affidavit of the surviving spouse stating that such agreement was executed in good faith between the parties thereto and had not been rescinded by the parties prior to the death of the decedent: PROVIDED FURTHER, That in all cases the employer shall require proof of claimant's relationship to decedent by affidavit, and shall require claimant to acknowledge receipt of such payment in writing. Any payments made by an employer pursuant to the provisions of RCW 49.48.115 and 49.48.120 shall operate as a full and complete discharge of the employer's indebtedness to the extent of said payment, and no employer shall thereafter be liable therefor to the decedent's estate, or the decedent's executor or administrator thereafter appointed. The employer may also pay the indebtedness upon presentation of an affidavit as provided in section 4 of this 1974 amendatory act.

Sec. 43. Section 30.04.260, chapter 33, Laws of 1955 and RCW 30.04.260 are each amended to read as follows:

No trust company or other corporation which advertises that it will furnish legal advice, construct or prepare wills, or do other legal work for its customers, shall be permitted to act as executor, administrator, or guardian; and any trust company or other corporation whose officers or agents shall solicit legal business (~~or personally solicit the appointment of such trust company or corporation as executor, administrator or guardian~~) shall be ineligible for a period of one year thereafter to be appointed executor, administrator or guardian in any of the courts of this state.

Any trust company or other corporation which advertises that it will furnish legal advice, construct or prepare wills, or do other legal work for its customers, and any officer, agent, or employee of any trust company or corporation who shall solicit legal business (~~or personally solicit the appointment of such trust company or corporation as executor, administrator or guardian~~) shall be guilty of a gross misdemeanor.

#### PART VII. MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 44. There is added to chapter 11.28 RCW a new section to read as follows:

When a petition for general letters of administration or for letters of administration with the will annexed shall be filed, the matter may heard forthwith, appointment made and letters of administration issued: PROVIDED, That

if there be a surviving spouse and a petition is presented by anyone other than the surviving spouse, or any person designated by the surviving spouse to serve as personal representative on his or her behalf, notice to the surviving spouse shall be given of the time and place of such hearing at least ten days before the hearing, unless the surviving spouse shall waive notice of the hearing in writing filed in the cause.

Sec. 45. Section 11.76.080, chapter 145, Laws of 1965 as last amended by section 1, chapter 28, Laws of 1971 and RCW 11.76.080 are each amended to read as follows:

If there be any incompetent as defined in RCW 11.88.010 interested in the estate who has no legally appointed guardian, the court:

(1) At any stage of the proceeding in its discretion and for such purpose or purposes as it shall indicate, may, and

(2) For hearings held pursuant to RCW 11.52.010, 11.52.020, 11.68.040 and 11.76.050 as now or hereafter amended, or for entry of an order adjudicating testacy or intestacy and heirship when no personal representative is appointed to administer the estate of the decedent, shall(--)appoint some disinterested person as guardian ad litem to represent such incompetent with reference to any petition, proceeding ((or)), report, or adjudication of testacy or intestacy without the appointment of a personal representative to administer the estate of decedent in which the incompetent may have an interest, who, on behalf of the incompetent, may contest the same as any other person interested might contest it, and who shall be allowed by the court reasonable compensation for his services: PROVIDED, HOWEVER, That where a surviving spouse is the sole beneficiary under the terms of a will, the court may grant a motion by the personal representative to waive the appointment of a guardian ad litem for a person who is the minor child of such surviving spouse and the decedent and who is incompetent solely for the reason of his being under eighteen years of age.

NEW SECTION. Sec. 46. There is added to chapter 11.28 RCW a new section to read as follows:

When the terms of the decedent's will manifest an intent that the personal representative appointed to administer the estate shall not be required to furnish bond or other security, or when the personal representative is the surviving spouse of the decedent and it appears to the court that the entire estate, after provision for expenses and claims of creditors, will be distributable to such spouse and any minor children born to or adopted by decedent and living with said surviving spouse, then such personal representative shall not be required to give bond or other security as a condition of appointment. In all cases where a bank or trust company authorized to act as personal representative is appointed as personal representative, no bond shall be required. In all other cases, unless waived by the court, the personal representative shall give such bond or other security, in such amount and with such surety or sureties, as the court may direct.

Every person required to furnish bond must, before receiving letters testamentary or of administration, execute a bond to the state of Washington conditioned that the personal representative shall faithfully execute the duty of the trust according to law.

The court may at any time after appointment of the personal representative require said personal representative to give a bond or additional bond, the same to be conditioned and to be approved as provided in this section; or the court may allow a reduction of the bond upon a proper showing.

In lieu of bond, the court may in its discretion, substitute other security or financial arrangements, such as provided under RCW 11.88.105, or as the court may deem adequate to protect the assets of the estate.

Sec. 47. Section 11.40.100, chapter 145, Laws of 1965 and RCW 11.40.100 are each amended to read as follows:

If any action be pending against the testator or intestate at the time of his death, the plaintiff shall within ~~((ninety days))~~ four months after first publication of notice to creditors, or the filing of a copy of such notice, whichever is later, serve on the personal representative a motion to have such personal representative, as such, substituted as defendant in such action, and, upon the hearing of such motion, such personal representative shall be so substituted, unless, at or prior to such hearing, the claim of plaintiff, together with costs, be allowed by the personal representative and court. After the substitution of such personal representative, the court shall proceed to hear and determine the action as in other civil cases.

Sec. 48. Section 11.44.025, chapter 145, Laws of 1965 and RCW 11.44.025 are each amended to read as follows:

Whenever any property of the estate not mentioned in the inventory comes to the knowledge of a personal representative, he shall cause the same to be inventoried and appraised and shall make and return upon oath into the court a true inventory of said property within thirty days after the discovery thereof, unless a longer time shall be granted by the court.

NEW SECTION. Sec. 49. There is added to chapter 11.44 RCW a new section to read as follows:

Within the time required to file an inventory as provided in RCW 11.44.015, the personal representative shall determine the fair net value, as of the date of the decedent's death, of each item contained in the inventory after deducting the encumbrances, liens, and other secured charges thereon. The personal representative may employ a qualified and disinterested person to assist him in ascertaining the fair market value as of the date of the decedent's death of any asset the value of which may be subject to reasonable doubt. Different persons may be employed to appraise different kinds of assets included in the estate. The appraisal may, but need not be, filed in the probate cause: PROVIDED HOWEVER, That upon receipt of a written request for a copy of said inventory and appraisal from any heir, legatee, devisee or unpaid creditor who has filed a claim, or from the inheritance tax division of the department of revenue, the personal

representative shall furnish to said person, a true and correct copy thereof.

Sec. 50. Section 11.44.070, chapter 145, Laws of 1965 as amended by section 10, chapter 168, Laws of 1967 and RCW 11.44.070 are each amended to read as follows:

((The appraiser shall receive as compensation for his service an amount as to the court shall seem just and reasonable, but not less than ten dollars nor more than one-tenth of one percent of the gross value of the assets of the estate actually appraised by him:)) The amount of the fee to be paid to any persons assisting the personal representative in any appraisal shall be determined by the personal representative: PROVIDED HOWEVER, That the reasonableness of any such compensation shall, at the time of hearing on any final account as provided in chapter 11.76 RCW or on a request or petition under sections 22 or 23 of this 1974 amendatory act, be reviewed by the court in accordance with the provisions of section 22 of this 1974 amendatory act, and if the court determines the compensation to be unreasonable, a personal representative may be ordered to make appropriate refund.

Sec. 51. Section 11.12.120, chapter 145, Laws of 1965 and RCW 11.12.120 are each amended to read as follows:

Whenever any person having died leaving a will which has been admitted to probate or established by an adjudication of testacy, shall by said will have given, devised or bequeathed unto any person, a legacy or a devise upon the condition that said person survive him, and not otherwise, such legacy or devise shall lapse and fall into the residue of said estate to be distributed according to the residuary clause, if there be one, of said will, and if there be none then according to the laws of descent, unless said legatee or devisee, as the case may be, or his heirs, personal representative, or someone in behalf of such legatee or devisee, shall appear before the court which is administering said estate within ~~((six))~~ three years from and after the date the said will was admitted to probate or established by an adjudication of testacy, and prove to the satisfaction of the court that the said legatee or devisee, as the case may be, did in fact survive the testator.

NEW SECTION. Sec. 52. Whenever a principal designates another his attorney in fact or agent by a power of attorney in writing and the writing contains the words "This power of attorney shall not be affected by disability of the principal," or "This power of attorney shall become effective upon the disability of the principal," or similar words showing the intent of the principal that the authority conferred shall be exercisable notwithstanding his disability, the authority of the attorney in fact or agent is exercisable by him as provided in the power on behalf of the principal notwithstanding later disability or incapacity of the principal at law or later uncertainty as to whether the principal is dead or alive. All acts done by the attorney in fact or agent pursuant to the power during any period of disability or incompetence or uncertainty as to whether the principal is dead or alive have the same effect and inure to the benefit of and bind the principal or his guardian or heirs, devisees and personal representative as if the principal were alive, competent

and not disabled. If a guardian thereafter is appointed for the principal, the attorney in fact or agent, during the continuance of the appointment, shall account to the guardian rather than the principal. The guardian has the same power the principal would have had if he were not disabled or incompetent, to revoke, suspend or terminate all or any part of the power of attorney or agency.

NEW SECTION. Sec. 53. (1) The death, disability, or incompetence of any principal who has executed a power of attorney in writing other than a power as described by section 43 of this 1974 amendatory act, does not revoke or terminate the agency as to the attorney in fact, agent or other person who, without actual knowledge of the death, disability, or incompetence of the principal, acts in good faith under the power of attorney or agency. Any action so taken, unless otherwise invalid or unenforceable, binds the principal and his heirs, devisees, and personal representatives.

(2) An affidavit, executed by the attorney in fact or agent stating that he did not have, at the time of doing an act pursuant to the power of attorney, actual knowledge of the revocation or termination of the power of attorney by death, disability, or incompetence, is, in the absence of a showing of fraud or bad faith, conclusive proof of the nonrevocation or nontermination of the power at that time. If the exercise of the power requires execution and delivery of any instrument which is recordable, the affidavit when authenticated for record is likewise recordable.

(3) This section shall not be construed to alter or affect any provision for revocation or termination contained in the power of attorney.

NEW SECTION. Sec. 54. (1) Any of the following provisions in an insurance policy, contract of employment, bond, mortgage, promissory note, deposit agreement, pension plan, joint tenancy, community property agreement, trust agreement, conveyance, or any other written instrument effective as a contract, gift, conveyance, or trust is deemed to be nontestamentary, and this title does not invalidate the instrument or any provision:

(a) that money or other benefits theretofore due to, controlled or owned by a decedent shall be paid after his death to a person designated by the decedent in either the instrument or a separate writing, including a will, executed at the same time as the instrument or subsequently;

(b) that any money due or to become due under the instrument shall cease to be payable in event of the death of the promisee or the promissor before payment or demand; or

(c) that any property which is the subject of the instrument shall pass to a person designated by the decedent in either the instrument or a separate writing, including a will, executed at the same time as the instrument or subsequently.

(2) Nothing in this section limits the rights of creditors under other laws of this state.

(3) Any provision in a lease of a safety deposit repository to the effect that two or more persons shall

have access to the repository, or that purports to create a joint tenancy in the repository or in the contents of the repository, or that purports to vest ownership of the contents of the repository in the surviving lessee, is ineffective to create joint ownership of the contents of the repository or to transfer ownership at death of one of the lessees to the survivor. Ownership of the contents of the repository and devolution of title to those contents is determined according to rules of law without regard to the lease provisions.

NEW SECTION. Sec. 55. The following acts or parts of acts are each hereby repealed:

(1) Section 11.28.130, chapter 145, Laws of 1965 and RCW 11.28.130;

(2) Section 11.28.180, chapter 145, Laws of 1965 and RCW 11.28.180;

(3) Section 11.28.200, chapter 145, Laws of 1965 and RCW 11.28.200;

(4) Section 11.40.050, chapter 145, Laws of 1965 and RCW 11.40.050;

(5) Section 11.44.055, chapter 145, Laws of 1965 and RCW 11.44.055;

(6) Section 11.44.065, chapter 145, Laws of 1965 and RCW 11.44.065; and

(7) Section 11.44.080, chapter 145, Laws of 1965, section 11, chapter 168, Laws of 1967 and RCW 11.44.080.

NEW SECTION. Sec. 56. This 1974 amendatory act shall take effect March 1, 1975."

On page 3 of the substitute bill, line 6 of the title, after "11.44.080;" strike all material down to and including "emergency" on line 7 and insert "and prescribing an effective date"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Smith moved that the House do not concur in the Senate amendments to sections 1, 13, 17, 18, 20 and 56, and do concur in the balance of the amendments.

Representatives Smith and Julin spoke in favor of the motion.

The motion carried.

#### SENATE AMENDMENTS TO HOUSE BILL

February 7, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 816 with the following amendments:

On page 2, line 3, section 1 strike "The lead unit of every engine-consist" and insert "At least one unit of the leading engine-consist"

On page 2, line 4, section 1 after "January," strike "1976" and insert "1977"

On page 2, section 2, lines 10 through 22 strike all of section 2.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Hansen, the House concurred in the Senate amendments to Engrossed House Bill No. 816.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 816 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 816 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Cunningham.

Not voting: Representatives Luders, North L.

Engrossed House Bill No. 816 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.

#### SENATE AMENDMENTS TO HOUSE BILL

February 5, 1974

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1077 with the following amendments:

On line 1 of the title, after "services;" strike "adding a new section to chapter 48.20 RCW;" and on line 3 after "48.21 RCW;" strike "adding a new section to chapter 48.21A RCW;"

On page 1, beginning on line 21, strike all of section 2 and renumber the remaining sections consecutively.

On page 2, section 3, line 11 after "(2)" strike the period and insert ", or accredited by the Department of Social and Health Services."

On page 2, section 4, line 19 after "(2)" strike the period and insert ", or accredited by the Department of Social and Health Services."

On page 2, beginning on line 20 strike all of section 5 and renumber the remaining sections consecutively.

On page 3, section 6, line 2 after "(2)" strike the period and insert ", or accredited by the Department of Social and Health Services."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTIONS

On motion of Mrs. Wojahn, the House did not concur in the Senate amendments to page 2, line 11; page 2, line 19; and page 3, line 2.

On motion of Mrs. Wojahn, the House did concur in the Senate amendments to the title; page 1, line 21; and page 2, line 20.

#### SENATE AMENDMENTS TO HOUSE BILL

February 6, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1169 with the following amendments:

On page 2, section 4, line 4 after "twenty" and before "members" insert "-four"

On page 2, section 4, line 5 after the period following "senate" and before "In" insert "Two of the members to be appointed shall be members of the house of representatives to be selected by the speaker of the house of representatives and two of the members shall be members of the senate of the state of Washington to be selected by the president of the senate. The legislative members selected by each house shall be one member from each political party."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Williams, the House concurred in the Senate amendments to Engrossed House Bill No. 1169.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 1169 as amended by the Senate.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1169 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 80; nays, 16; not voting, 1.

Voting yeas: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hayner, Hoggins, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Wanke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nays: Representatives Amen, Barnes, Berentson, Cunningham, Curtis, Gilleland, Hansey, Hendricks, Honan, Hurley, Juelling, Julin, Kuehnle, Matthews, Polk, Schumaker.

Not voting: Representative Luders.

Engrossed House Bill No. 1169 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

February 7, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1295 with the following amendments:

On page 4, line 26 insert a new section 12 as follows:

"Sec. 12. Section 2, chapter 103, Laws of 1972 ex. sess. and RCW 47.30.030 are each amended to read as follows:-

Where an existing highway severs, or where the right of way of an existing highway accommodates a trail for pedestrians, equestrians or bicyclists ((or would accommodate)), or where the separation of motor vehicle traffic from pedestrians, equestrians, or bicyclists will materially ((benefit)) increase the motor vehicle safety ((of the traveling public by)) the provision ((within the right of way)) of facilities for pedestrians, equestrians, or bicyclists which are a part of a comprehensive trail plan adopted by federal, state, or local governmental authority having jurisdiction over the trail ((?) is hereby authorized. The state highway commission, or the county or city having jurisdiction over the highway, road, or street, or facility is further authorized to spend reasonable amounts out of the funds made available to them, according to the provisions of RCW 46.68.100, as necessary for the planning, accommodation, establishment, and maintenance of such facilities."

Renumber the remaining sections.

On page 5, line 12, section 13 after "roadway" and before "if" insert "or any specially designated bicycle lane"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Douthwaite moved that the House do concur in the Senate amendments to Engrossed House Bill No. 1295.

Representatives Douthwaite and Kraabel spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Kraabel yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "Representative Kraabel, is there anything in this bill now which requires local authorities to create bicycle and equestrian paths in conjunction with all new construction or is there anything there which requires them to provide such paths anywhere?"

Mr. Kraabel: "No, there are no paths required; there are two demonstration projects going to stem from this. It is a planning bill. It puts the planning of bicycle paths with the urban arterial board, just like they have arterial planning now. There are two demonstration projects called for in the bill."

Mr. Kuehnle: "Does it require that such paths be planned in conjunction with the roadways?"

Mr. Kraabel: "No, it does not."

The motion to concur with the Senate amendments was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 1295 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1295 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 4; not voting, 2.

Voting yeas: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks,

Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Flanagan, Kuehne, Wilson.

Not voting: Representatives Haussler, Luders.

Engrossed House Bill No. 1295 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENT TO HOUSE BILL

February 6, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1296 with the following amendment:

On page 5, line 5, section 2 after "district." insert a new paragraph to read as follows:

"All decisions of policy, philosophy, selection of books, teaching material, curriculum, except as in subsection (6) above provided, school rules and administration, or other matters not specifically referred to in this section, shall be the responsibility of the administration and administrators of the particular private school involved."

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. O'Brien the House concurred in the Senate amendment to Engrossed House Bill No. 1296.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 1296 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1296 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 2; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines,

Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Honan, Schumaker.

Not voting: Representatives Blair, Curtis, Erickson, Luders, Nelson, Thompson.

Engrossed House Bill No. 1296 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

February 6, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1463 with the following amendments:

On page 1, line 9, section 1 after "RCW" insert "or chapter 35.58 RCW"

On page 1, line 15, section 1 after "entered" strike "in to" and insert "into for purposes of transportation"

On page 1, line 16, section 1 after "shall" insert "conform with the provisions of RCW 35.58.250 where applicable and shall"

On page 1, line 22, section 1 after "public" insert "transportation,"

On page 1, line 26, section 1 after "transportation" insert ", and such transportation has been approved by any metropolitan municipal corporation performing public transportation pursuant to chapter 35.58 RCW in the area to be served by the district"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Perry, the House concurred in the Senate amendments to Engrossed House Bill No. 1463.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 1463 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1463 as amended by the Senate, and

the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Luders, Thompson.

Engrossed House Bill No. 1463 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

ENGROSSED SENATE BILL NO. 3021, by Senators Donohue, Henry and Twigg (by Department of Motor Vehicles request):

Requiring physical examination of every out-of-state vehicle before titling or licensing in this state.

The bill was read the second time.

Mr. Pardini moved adoption of the following amendment by Representatives Pardini and Van Dyk:

On page 2, section 1, line 10 after "inspections" insert "PROVIDED, That no inspection shall be required of any vehicle purchased from an out-of-state dealer or auction house by a dealer licensed and bonded pursuant to RCW 46.70.070, as now existing or hereafter amended"

Mr. Van Dyk demanded an electric roll call, and the demand was sustained.

Debate ensued, Representatives Pardini, Curtis, Van Dyk and Randall speaking in favor of the amendment, and Representatives Charette, Newhouse, Perry and Bagnariol speaking against it.

Mr. Conner demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Pardini and Van Dyk to Engrossed Senate

Bill No. 3021, and the amendment was not adopted by the following vote: Yeas, 40; nays, 55; not voting, 2.

Voting yea: Representatives Barnes, Berentson, Bluechel, Ceccarelli, Chatalas, Cunningham, Curtis, Douthwaite, Ehlers, Erickson, Flanagan, Gaines, Gallagher, Garrett, Hansey, Hayner, Honan, Johnson, Juelling, Julin, King, Kishimoto, Kopet, Kraabel, Kuehnle, Lysen, Matthews, May, Pardini, Paris, Polk, Pullen, Rabel, Randall, Schumaker, Tilly, Valle, Van Dyk, Wilson, Zimmerman.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Beck, Bender, Benitz, Blair, Brown, Charette, Charnley, Clemente, Conner, Eikenberry, Ellis, Eng, Fortson, Freeman, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hendricks, Hoggins, Hurley, Jastad, Kalich, Kelley, Kilbury, Knowles, Laughlin, Leckenby, Martinis, Maxie, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Parker, Patterson, Perry, Savage, Shinpoch, Smith, Sommers, Thompson, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Luders, Nelson.

Mr. Pardini moved adoption of the following amendment:

On page 2, section 1, line 10 after "inspection" insert "; PROVIDED FURTHER, That when a bonded and licensed automobile dealer purchases a vehicle or vehicles from an out of state bonded and licensed automobile dealer or auction house, this inspection may be performed by such purchasing dealer. The information required shall be recorded on forms provided by the Department of Motor Vehicles and forwarded to the appropriate agency"

Representatives Pardini, Blair and Van Dyk spoke in favor of the amendment, and Representatives Perry, Gallagher and Charette spoke against it.

The Speaker called on Mr. O'Brien to preside.

Mr. Curtis demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Pardini to Engrossed Senate Bill No. 3021, and the amendment was not adopted by the following vote: Yeas, 39; nays, 56; not voting, 2.

Voting yea: Representatives Amen, Blair, Bluechel, Ceccarelli, Charnley, Chatalas, Curtis, Douthwaite, Ehlers, Erickson, Flanagan, Gaines, Garrett, Hayner, Hendricks, Honan, Johnson, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Martinis, Matthews, May, Nelson, North L., Pardini, Paris, Polk, Pullen, Rabel, Randall, Schumaker, Tilly, Van Dyk, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Brown, Charette, Clemente, Conner, Cunningham, Eikenberry, Ellis, Eng, Fortson, Freeman, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hoggins, Hurley, Jastad, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Leckenby,

Lysen, Maxie, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Parker, Patterson, Perry, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Bagnariol, Luders.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3021 was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3021, and the bill passed the House by the following vote: Yeas, 64; nays, 31; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ellis, Eng, Fortson, Freeman, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Hurley, Jastad, Johnson, Kelley, Kilbury, King, Knowles, Kopet, Laughlin, Leckenby, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Savage, Shinpoch, Smith, Sommers, Thompson, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bluechel, Ceccarelli, Douthwaite, Ehlers, Eikenberry, Erickson, Flanagan, Gaines, Gallagher, Garrett, Hayner, Honan, Jueling, Julin, Kalich, Kishimoto, Kraabel, Kuehnle, Lysen, Matthews, Pardini, Polk, Pullen, Rabel, Randall, Schumaker, Tilly, Valle, Van Dyk, Zimmerman.

Not voting: Representatives Luders, Nelson.

Engrossed Senate Bill No. 3021, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Charette, consideration of ENGROSSED SENATE BILL NO. 3064 was deferred, and the bill was ordered placed on the calendar after Engrossed Substitute Senate Bill No. 3118.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3118, by Committee on Transportation and Utilities (Originally sponsored by Senator Bottiger):

Assessing penalties on drunk-driving cases.

The bill was read the second time.

Mr. Rabel moved adoption of the following amendment:

On page 1, section 1, line 16 strike "five" and insert "~~((five))~~ thirty"

Mr. Eikenberry demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Rabel to page 1, line 16 to Engrossed Substitute Senate Bill No. 3118, and the amendment was adopted by the following vote: Yeas, 89; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gillelard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Kopet, Kraabel, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Douthwaite, Flanagan, Honan, Hurley, Knowles, Kuehnle.

Not voting: Representatives Luders, Shinpoch.

On motion of Mr. Rabel, the following amendments were adopted:

On page 1, section 1, line 21 strike "thirty" and insert "~~((thirty))~~ ninety"

On page 2, section 1, line 7 strike "ninety" and insert "~~((ninety))~~ one hundred eighty"

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3118 as amended by the House was placed on final passage.

Mr. Berentson spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Berentson yielded to question by Mr. Curtis.

Mr. Curtis: "For the record, as I read section 3 it talks about transmitting the fines and forfeitures to the city/county treasurers, and they maintain it separately, and then remit on a monthly basis to the State Treasurer for the purpose of the Highway Safety Fund. Now my question is: Let's assume that an individual is fined \$100. You add 25% so he owes \$125, and he tells the judge



that he can't pay it all and offers to pay \$50, and the judge agrees. After he leaves, the court, or whatever jurisdiction it is, is short \$75. As you read section 3 on this does that mean then that this portion of the fine may be prorated and then remitted to the State Treasurer on the basis of the first \$50 paid, or must the entire 25% be paid at the same time?"

Mr. Berentson: "Well, I don't know what you do if someone refuses to pay. Maybe an attorney could answer that, but section 3 does allow the city, county or state treasurers to separate the account. The 25% penalty assessment that we are talking about here is over and above the 25% that we already have going to justice court income. As to what you do with the person who refuses to pay, I have no idea."

Mr. Curtis spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3118 as amended by the House, and the bill passed the House by the following vote: Yeas, 91; nays, 4; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Douthwaite, Eng, Hurley, Kuehnle.

Not voting: Representatives Kelley, Luders.

Engrossed Substitute Senate Bill No. 3118 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3064. by Senators Marsh and Atwood:

Creating the data processing revolving fund.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3064 was placed on final passage.

Mr. Shinpoch spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3064, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Beck, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Haussler, Kelley, Luders.

Engrossed Senate Bill No. 3064, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGES FROM THE SENATE

February 11, 1974

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE JOINT RESOLUTION NO. 143, and has passed the resolution as amended by the House.

Sidney R. Snyder, Secretary.

February 11, 1974

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE JOINT MEMORIAL NO. 131, and has passed the memorial as amended by the House.

Sidney R. Snyder, Secretary.

February 11, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3329, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 11, 1974

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3235, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 11, 1974

Mr. Speaker:

The Senate has concurred in the House amendment to SENATE BILL NO. 3147, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 11, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3206, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Tuesday, February 12, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTIETH DAY ,

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MORNING SESSION

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House Chamber, Olympia, Wash., Tuesday, February 12, 1974.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present, except Representatives Leckenby and Rabel who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Bart Huizenga of Evergreen Christian Reformed Church of Olympia.

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

MESSAGE FROM THE GOVERNOR

February 11, 1974

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on February 11, 1974, Governor Evans approved the following House Bill, entitled:  
SUBSTITUTE HOUSE BILL NO. 1469, preventing cruelty to animals.

Sincerely,  
CHI-DOOH LI,  
Legal Counsel.

MESSAGES FROM THE SENATE

February 11, 1974

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 2701,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 11, 1974

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2132,

SENATE BILL NO. 2540,

2nd SUBSTITUTE SENATE BILL NO. 2634,

SUBSTITUTE SENATE BILL NO. 2675,

SENATE BILL NO. 2904,

SENATE BILL NO. 3024,

SENATE BILL NO. 3039,  
SENATE BILL NO. 3052,  
SENATE BILL NO. 3058,  
SENATE BILL NO. 3078,  
SUBSTITUTE SENATE BILL NO. 3106,  
SENATE BILL NO. 3116,  
SENATE JOINT RESOLUTION NO. 140,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 11, 1974

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3147,  
SENATE BILL NO. 3206,  
SENATE BILL NO. 3235,  
SENATE BILL NO. 3272,  
SENATE BILL NO. 3304,  
SUBSTITUTE SENATE BILL NO. 3329,  
SENATE BILL NO. 3354,  
SUBSTITUTE SENATE BILL NO. 3355,  
SENATE BILL NO. 3362,  
SUBSTITUTE SENATE BILL NO. 3378,  
SENATE BILL NO. 3379,  
SENATE JOINT MEMORIAL NO. 131,  
SENATE JOINT RESOLUTION NO. 143,  
SENATE CONCURRENT RESOLUTION NO. 152,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### INTRODUCTION AND FIRST READING

SUBSTITUTE SENATE BILL NO. 2701, by Committee on Ways and Means (Originally sponsored by Senator Matson):

AN ACT Relating to state government; providing for a migrant labor housing demonstration project; creating new sections; making an appropriation; and declaring an emergency.

#### MOTION

On motion of Mr. Charette, the rules were suspended, and Substitute Senate Bill No. 2701 was placed on the calendar for second reading.

#### SECOND READING

HOUSE BILL NO. 1310, by Representatives Bagnariol and Shinpoch:

Relating to appropriations.

The bill was read the second time.

## MOTION

On motion of Mr. Kopet, Substitute House Bill No. 1310 was substituted for House Bill No. 1310, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1310 was read the second time.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1310 was placed on final passage.

Representatives Kopet and Shinpoch spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1310, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Tilly.

Not voting: Representatives Julin, Leckenby, Rabel, Thompson, Van Dyk.

Substitute House Bill No. 1310, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1334, by Representatives Randall, Sommers and Pardini (by Department of Revenue request):

Authorizing additional grounds for property tax refunds.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1334 was placed on final passage.

Mr. Randall spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1334, and the bill passed the House by the following vote: Yeas, 88; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kelley, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Smith, Sommers, Tilly, Valle, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Flanagan, Julin, King, Leckenby, North F., Rabel, Shinpoch, Thompson, Van Dyk.

House Bill No. 1334, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTIONS

On motion of Mr. Charette, Substitute House Bill No. 1310 and House Bill No. 1334 were ordered transmitted immediately to the Senate.

On motion of Mr. Charette, consideration of HOUSE BILL NO. 779 was deferred, and the bill was ordered placed at the bottom of the second reading calendar following Substitute Senate Bill No. 2701.

On motion of Mr. Charette, HOUSE BILL NO. 1185 was rereferred to the Committee on Rules.

The Speaker assumed the Chair.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 102,  
HOUSE BILL NO. 474,  
HOUSE BILL NO. 816,  
HOUSE BILL NO. 1169,  
HOUSE BILL NO. 1295,  
HOUSE BILL NO. 1296,  
HOUSE BILL NO. 1463.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2541, by Committee on Ways and Means (Originally sponsored by Senator Talley):

Pertaining to the taxation of timber and forest lands.

The bill was read the second time.

Ms. Sommers moved adoption of the following amendment by Representatives Randall and Sommers:

On page 2, section 1, beginning on line 4 after "harvested" strike all the matter down to and including "taxpayers" on line 22 and insert "on or after October 1, 1974 the rate shall be ((determined and fixed by the first session of the legislature commencing on or after January 4, 1973, whether regular or extraordinary, in accordance with the purposes and intent of REW 84-33-100)) six and one-half percent;

(d) Notwithstanding the provisions of paragraph (c) above, on and after October 1, 1974 the rate shall be four and one-half percent for the first two hundred thousand board feet harvested within a calendar year by an individual harvester"

Mr. Perry moved adoption of the following amendment to the Randall/Sommers amendment:

On line 5 of the amendment strike "six and one-half" and insert "seven"

Mr. Charette demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

## MOTION

On motion of Mr. Charette, the House proceeded with business under the Call of the House.

Mr. Perry spoke in favor of the amendment to the amendment to Engrossed Substitute Senate Bill No. 2541, and Mr. Benitz spoke against it.

Mr. Van Dyk demanded an electric roll call and the demand was sustained.

Debate ensued, Representatives Kilbury, Randall, King and Shinpoch speaking in favor of the amendment to the amendment, and Representatives Pardini, Leckenby, Schumaker, Rabel, Conner, Kraabel and Cunningham speaking against it.



Mr. Newhouse demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the amendment by Representative Perry to the amendment by Representatives Randall and Sommers to Engrossed Substitute Senate Bill No. 2541, and the amendment was not adopted by the following vote: Yeas, 38; nays, 59; not voting, 0.

Voting yeas: Representatives Amen, Bausch, Bender, Blair, Ceccarelli, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard, Haussler, Hurley, Johnson, Kelley, Kilbury, King, Lysen, Maxie, May, Moon, O'Brien, Parker, Perry, Randall, Shinpoch, Smith, Sommers, Valle, Van Dyk, Warnke, Williams, and Mr. Speaker.

Voting nays: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Benitz, Berentson, Bluechel, Brown, Charette, Conner, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gaines, Garrett, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Jastad, Jueling, Julin, Kalich, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, McCormick, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Savage, Schumaker, Thompson, Tilly, Wilson, Wojahn, Zimmerman.

#### EXPLANATION OF VOTE

I intended to vote "No" on the Perry amendment to the Randall/Sommers amendment on Engrossed Substitute Senate Bill No. 2541, but was recorded as voting "Yes."

OTTO AMEN, 9th District.

The Speaker stated the question before the House to be the amendment by Representatives Randall and Sommers to Engrossed Substitute Senate Bill No. 2541.

Ms. Sommers spoke in favor of the amendment, and Mr. Benitz spoke against it.

Mr. Conner demanded an electric roll call, and the demand was sustained.

Representatives Goltz and Kelley spoke in favor of the amendment.

Mr. Charette demanded the previous question, and the demand was not sustained.

Mr. Bluechel spoke in opposition to the amendment.

Mr. Pardini demanded the previous question, and the demand was not sustained.

Representatives Sommers, Perry, Bagnariol and Moon spoke in favor of the amendment, and Representatives

Flanagan, Cunningham, Pullen, Pardini and Julin spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Randall and Sommers to page 2, line 4 to Engrossed Substitute Senate Bill No. 2541, and the amendment was adopted by the following vote: Yeas, 53; nays, 44; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Luders, Lysen, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Anderson, Barnes, Bausch, Benitz, Berentson, Bluechel, Brown, Conner, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Honan, Jueling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Martinis, Matthews, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Mr. O'Brien resumed the Chair.

Mr. Smith moved adoption of the following amendment by Representatives Smith and Goltz:

On page 2, section 1, line 22 after "taxpayers" insert a new subsection as follows:

"(3) PROVIDED, That the rate shall be five and one-half percent on all Christmas trees subject to the tax imposed under RCW 82.04.291 on and after October 1, 1974"

Representative Smith spoke in favor of the amendment, and Representatives Benitz, Randall and Savage spoke against it.

#### MOTION

On motion of Mr. Charette, Representative Shinpoch was excused from further business under the Call of the House.

Mr. Conner demanded and electric roll call on the amendment by Representatives Smith and Goltz, and the demand was sustained.

Representatives Goltz, Conner and Smith spoke in favor of the amendment, and Representatives Pardini and Blair spoke against it.

#### ROLL CALL

The Clerk called the roll on the amendment by Representatives Smith and Goltz to Engrossed Substitute

Senate Bill No. 2541, and the amendment was adopted by the following vote: Yeas, 62; nays, 34; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Paris, Perry, Pullen, Savage, Schumaker, Smith, Thompson, Valle, Wilson, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Eng, Flanagan, Freeman, Garrett, Gaspard, Gilleland, Julin, Kelley, Kilbury, Kopet, Leckenby, Lysen, Matthews, Nelson, North L., Pardini, Parker, Patterson, Polk, Rabel, Randall, Sommers, Tilly, Van Dyk, Warnke, Williams, Wojahn.

Not voting: Representative Shinpoch.

On motion of Ms. Sommers, the following amendments by Representatives Randall and Sommers were adopted:

On page 4, section 1, line 14 after "revenue" strike all the matter down to and including "department" on line 16

On page 9, section 2, line 10 after "many" and before "for" strike "years" and insert "quarters"

Ms. Sommers moved adoption of the following amendment by Representatives Randall and Sommers:

On page 9, section 2, beginning on line 15 strike all the matter down to and including the period on page 10, line 3 and insert "treasurers and state on or before December 31."

(c) Along with each quarterly payment pursuant to subsection (2) of this section, the state treasurer shall pay, out of the state timber reserve fund, to the treasurer of each timber county for the account of each taxing district one-fourth of such district's portion (determined pursuant to (b) above) of such excess."

Mr. Newhouse moved adoption of the following amendment to the Randall/Sommers amendment:

Amend the amendment by Representatives Randall and Sommers to page 9, line 15 by striking "December 31" and inserting "September 15th"

Representative Newhouse spoke in favor of the amendment to the amendment, and Representatives Sommers and Randall spoke against it.

The amendment to the amendment was not adopted.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representatives Randall and Sommers to page 9, line 15.

Debate ensued, Representatives Sommers and Randall speaking in favor of the amendment, and Representatives Benitz, Pardini and Leckenby speaking against it.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Blair.

Mr. Blair: "Representative Sommers, would the effect of your proposed amendment be to reduce the requirement for special tax levies in districts receiving forest tax funds?"

Ms. Sommers: "The language as it now stands says 'The assessor shall subtract from the amount of the regular or special property tax levies of the local taxing jurisdiction the respective amounts certified by the department of revenue and extend no more than such reduced amount of property taxes upon the tax rolls.' What that is saying--and it is in this portion for local taxing jurisdictions and in another portion for the school money--what this is saying is that you must reduce those levies by the amount of the surplus fund distribution. In other words, those jurisdictions and the schools do not get the increases in taxes and you will not get any increase from 1971 through 1977 as the law reads at the present. They will be frozen at those earlier levels because the guarantee is only for 1971."

Representatives Randall and Zimmerman spoke in favor of the amendment.

POINT OF INQUIRY

Ms. Sommers yielded to question by Mr. Benitz.

Mr. Benitz: "Would it be correct to say that these funds in your amendment will be received after the budget is set for both schools and local government?"

Ms. Sommers: "Yes."

Mr. Pardini now spoke in favor of the amendment, and the amendment was adopted.

On motion of Ms. Sommers, the following amendment by Representatives Randall and Sommers was adopted:

On page 10, section 2, line 20 after "extending" and before "property" insert "real"

Ms. Sommers moved adoption of the following amendment by Representatives Randall and Sommers:

On page 21, after section 6, beginning on line 8 add a new section as follows:

"NEW SECTION. Sec. 7. There is added to chapter 294, Laws of 1971 ex. sess. and to chapter 84.33 RCW a new section to read as follows:

(1) The legislature shall review the system of distribution and allocation of all timber excise tax

revenues in 1975 and each year thereafter to provide a uniform and equitable distribution and allocation of such revenues to the state and local taxing districts.

(2) The department of revenue shall make available to the revenue committees of the senate and house of representatives of the state legislature information and data, as it may be available, pertaining to the status of forest land grading throughout the state, the collection of timber excise tax revenues, the distribution and allocation of timber excise tax revenues to the state and local taxing districts, and any other information as may be necessary for the proper legislative review and implementation of the timber excise tax system, and in addition, the department shall provide an annual report of such matters in January of each year to such committees."

Renumber the remaining sections consecutively.

Mr. Conner moved adoption of the following amendment to the amendment:

On line 13 of the Randall/Sommers amendment strike "1975" and insert "April 1974"

Representatives Conner and Sommers spoke in favor of the amendment to the amendment, and it was adopted.

The Speaker resumed the Chair.

The Speaker stated the question before the House to be the Randall/Sommers amendment to Engrossed Substitute Senate Bill No. 2541 as amended by Representative Conner.

Ms. Sommers spoke in favor of the amended amendment, and it was adopted.

On motion of Ms. Sommers, the following amendment by Representatives Randall and Sommers was adopted:

On page 21, after the last section add a new section as follows:

"NEW SECTION. Sec. 10. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

On motion of Ms. Sommers, the following amendment to the title was adopted:

On line 14 of the title after "RCW 84.40.045;" insert "adding a new section to chapter 294, Laws of 1971 ex. sess. and to chapter 84.33 RCW;"

#### POINT OF PERSONAL PRIVILEGE

Mr. Moon: "Again I want to say that I am an owner of designated timber lands, but I want the record to show that I would have submitted numerous amendments to perfect this timber tax proposal, but it is apparent to me that the sense of this body--correction, the nonsense of this body--would not..."

## RULING BY THE SPEAKER

The Speaker: "Mr. Moon, you are way out of order by degrading this body's action. I happen to have a lot of respect for this body and I intend the other members to show the same respect."

Mr. Moon: "It is apparent to me that this body would not act favorably on any of my proposed amendments. In my opinion, this is one of the most far-reaching tax measures that has been considered in my six terms as a legislator. It will have a significant long-term impact on one of our most important industries, It will have a significant long-term impact on revenue. It will have a significant long-term impact on spending. It will have a significant long-term impact on education and local government. My conversations with other members indicate to me that the votes are here for passage of a timber tax measure that is favorable to the timber interests. This is bad legislation. I do not feel that other property taxpayers of this state should bear the proportionate increase in taxes which will result from passage of this legislation."

## POINT OF ORDER

Mr. Julin: "Under the guise of personal privilege, Mr. Moon is making a speech to support his intended 'no' vote on this measure. When we get to that, let him make a speech."

## RULING BY THE SPEAKER

The Speaker: "Your point if well taken, Representative Julin. Representative Moon, if you will please confine your remarks to your point of personal privilege rather than on the merits of the bill."

Mr. Moon: "As legislators we should recognize the inequities in our present tax system and we should make strong positive moves to assure..."

The Speaker: "Representative Moon, I do think you are out of order. Personal privilege is not the time to attack a particular piece of legislation. You can make your speech on the final passage of the bill."

Mr. Shinpoch appeared at the bar of the House.

## MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2541 as amended by the House was placed on final passage.

Representatives Zimmerman and Charette spoke in favor of the bill, and Representatives Benitz and Moon spoke against it.

Mr. Newhouse demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2541 as amended by the House, and the bill passed the House by the following vote: Yeas, 52; nays, 45; not voting, 0.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Clemente, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Kalich, Kilbury, King, Knowles, Kraabel, Leckenby, Luders, Maxie, May, McCormick, North F., North L., O'Brien, Paris, Parker, Perry, Randall, Savage, Smith, Sommers, Thompson, Valle, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Anderson, Benitz, Berentson, Bluechel, Chatalas, Conner, Cunningham, Curtis, Douthwaite, Eikenberry, Eng, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Honan, Johnson, Juelling, Julin, Kelley, Kishimoto, Kopet, Kuehnle, Laughlin, Lysen, Martinis, Matthews, Moon, Morrison, Nelson, Newhouse, Pardini, Patterson, Polk, Pullen, Rabel, Schumaker, Shinpoch, Tilly, Van Dyk, Wilson.

Engrossed Substitute Senate Bill No. 2541 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## POINT OF PERSONAL PRIVILEGE

Mr. Randall: "I want to publicly acknowledge to this body the extreme amount of effort that a few of our members have put in. Representative Sommers, as we all know, has taken many, many hours of her time away from the legislature to put this together, to gather the information, to inspect, to retrospect, to do the kinds of things necessary to bring information into our hands that was so necessary to come to an understanding of this kind of a comprehensive tax measure. Representative Pardini was the chairman of the subcommittee on this. Mr. Pardini and his committee put in many hours and many hearings. I wish to really acknowledge a sincere vote of thanks. I feel for the minority of the Revenue Committee in the frustrations they felt, I felt the same way myself. We did have a good go-around on this; we talked it out and I don't think we are through with it yet in the long run. I want the record to show that we should publicly acknowledge the extreme efforts of these people to produce this legislation."

## STATEMENT FOR THE JOURNAL

I have opposed and voted against the passage of Engrossed Substitute Senate Bill No. 2451, the timber tax measure, for the following reasons:

First let me say that I am the owner of designated timber land. I want the record to show that I would have submitted numerous amendments to this proposal had I not been aware that under the existing circumstances, this body would not have acted favorably on any amendments.

In my opinion this is one of the most far-reaching tax measures that has been considered in my six terms in the legislature.

It will have a significant, long-term impact on one of our most important industries.

It will have a significant, long-term impact on revenue.

It will have a significant, long-term impact on spending.

It will have a significant, long-term impact on education and local government.

Conversations with other members indicate to me that the votes are here for passage of a timber tax measure favorable to the timber interests.

This is bad legislation. I do not feel that other property taxpayers of this state should bear the proportionate increase in taxes which will result from passage of this legislation.

As legislators we should recognize the inequities within our present tax system and should make strong positive moves to assure that all citizens bear an equitable share of the tax burden. We must provide a tax rate that is both morally right and fiscally sound--one that will reduce the disparities between classes of property rather than increase them. To do this the yield rate on this tax should escalate to a rate of not less than 10%.

In my opinion, this is without a doubt the biggest tax ripoff granted by the legislature to any special interest in my twelve years of legislative service.

It is neither morally right nor fiscally sound.

CHARLES MOON, 39th District.

#### APPOINTMENT TO INTERIM COMMITTEE

The Speaker announced the following committee appointment changes:

Representative Lysen to replace Representative Amen on the Legislative Transportation Committee.

Representative Gallagher to replace Representative Beck on the Legislative Transportation Committee.

#### APPOINTMENT CHANGES IN STANDING COMMITTEES

The Speaker announced that Representative Conner would be moved from the Committee on Constitution and Elections to the Committee on Transportation and Utilities.

#### MOTION

On motion of Mr. Charette, Engrossed Substitute Senate Bill No. 2541 as amended by the House was ordered transmitted immediately to the Senate.



SIGNED BY THE SPEAKER:

The Speaker announced that he was about to sign:

- SUBSTITUTE SENATE BILL NO. 2132,
- SENATE BILL NO. 2540,
- 2nd SUBSTITUTE SENATE BILL NO. 2634,
- SUBSTITUTE SENATE BILL NO. 2675,
- SENATE BILL NO. 2904,
- SENATE BILL NO. 3024,
- SENATE BILL NO. 3039,
- SENATE BILL NO. 3052,
- SENATE BILL NO. 3058,
- SENATE BILL NO. 3078,
- SUBSTITUTE SENATE BILL NO. 3106,
- SENATE BILL NO. 3116,
- SENATE BILL NO. 3147,
- SENATE BILL NO. 3206,
- SENATE BILL NO. 3235,
- SENATE BILL NO. 3272,
- SENATE BILL NO. 3304,
- SUBSTITUTE SENATE BILL NO. 3329,
- SENATE BILL NO. 3354,
- SUBSTITUTE SENATE BILL NO. 3355,
- SENATE BILL NO. 3362,
- SUBSTITUTE SENATE BILL NO. 3378,
- SENATE BILL NO. 3379,
- SENATE JOINT MEMORIAL NO. 131,
- SENATE JOINT RESOLUTION NO. 140,
- SENATE JOINT RESOLUTION NO. 143,
- SENATE CONCURRENT RESOLUTION NO. 152.

MOTIONS

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

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

SENATE AMENDMENTS TO HOUSE BILL

February 9, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 62 with the following amendments:

On page 1, line 21 after "develop" strike "by January 1, 1975," and insert "respecting public assistance recipients,"

On page 2, line 24 after "or" strike "after January 1, 1975, but no later than March 1, 1975," and insert "April 1, 1974,"

On page 2, line 28 after "be" strike "presented to" and insert "approved by"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Adams, the House concurred in the first two amendments, and did not concur in the third Senate amendment to Engrossed House Concurrent Resolution No. 62.

#### MESSAGE FROM THE SENATE

February 9, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to SECOND REENGROSSED SENATE BILL NO. 2004, except the proviso on page 3, section 3, line 13 as follows:

": PROVIDED, FURTHER, That the monies transferred to the general fund shall be allocated to the Superintendent of Public Instruction and utilized by him for the sole purpose of providing special levy relief through the school apportionment formula"

and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mrs. Wojahn moved that the House do recede from the proviso.

Mr. Tilly demanded an electric roll call and the demand was not sustained.

The motion to recede from the proviso to Second Reengrossed Senate Bill No. 2004 was carried on a rising vote.

Mr. Bluechel spoke against the passage of the bill.

Mrs. Wojahn demanded a Call of the House and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Thompson, the House proceeded with business under the Call of the House.

## FINAL PASSAGE OF SENATE BILL AS AMENDED BY THE HOUSE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Second Reengrossed Senate Bill No. 2004 without the proviso on page 3, line 13.

Representatives Wojahn and Bagnariol spoke in favor of passage of the bill, and Representative North (Lois) spoke in opposition to it.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Julin: "Mr. Speaker, the constitutional amendment that authorized lotteries provides that it may be authorized by the affirmative vote of 60% of the members of each House. In view of the departure of Mr. Beck to become a Senator, I would like to ask you to advise the body how many votes are required to pass this?"

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Representative Julin, your point of parliamentary inquiry is moot. 60% of 98 is 58.8 and 60% of 97 is 58.2. So we are over 58 either way. It would take 59 votes."

Mr. Blair spoke against passage of the bill.

Mr. Thompson demanded an oral roll call, and the demand was sustained.

Mr. Honan spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Second Reengrossed Senate Bill No. 2004 as amended by the House, but without the House proviso to page 3, line 13, and the bill passed the House by the following vote: Yeas, 59; nays, 38; not voting, 0.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Blair, Brown, Ceccarelli, Charette, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Haussler, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., O'Brien, Pardini, Parker, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Bluechel, Charnley, Chatalas, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Goltz, Hansey, Hayner, Hoggins, Julin, Kelley, Kilbury, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Matthews, Morrison,

Newhouse, North L., Paris, Patterson, Polk, Pullen, Rabel, Tilly, Van Dyk, Williams, Zimmerman.

Second Reengrossed Senate Bill No. 2004 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, Second Reengrossed Senate Bill No. 2004 was ordered transmitted immediately to the Senate.

#### MESSAGE FROM THE SENATE

February 9, 1974

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 2488, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Smith moved that the House do recede from its amendments to Engrossed Senate Bill No. 2488.

Representatives Smith and Hayner spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Smith yielded to question by Mr. Charnley.

Mr. Charnley: "As I recall, we struck language in five places in this bill. In the middle of that stricken language the Senate had removed only a portion and I think the words were 'or of being in actual physical control of.' By receding from our amendments we are putting back into the bill, then, the language 'unless he subsequently enters a plea of guilty to the charge of driving a motor vehicle while under the influence of intoxicating liquor.' Is this true?"

Mr. Smith: "Yes, that is true. That language was in the bill as originally passed and now would be restored."

Mr. Charnley: "What is the effect, then, of these amendments as amended by the Senate? What does it really do?"

Mr. Smith: "The only effect of the bill as originally passed by the Senate is that if an individual who is arrested and charged on a charge of driving while under the influence of intoxicating liquor, refuses to take a breathalyzer test, subsequently pleads guilty to the

charge, he will only receive the suspension that he would have received had he taken the test and been convicted of driving while under the influence."

The motion to recede from the House amendments was carried.

#### FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Senate Bill No. 2488 without the House amendments.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2488 without the House amendments, and the bill passed the House by the following vote: Yeas, 82; nays, 15; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Ceccarelli, Chatalas, Clemente, Cunningham, Douthwaite, Eikenberry, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Brown, Charette, Charnley, Conner, Curtis, Ehlers, Erickson, Gilleland, Paris, Parker, Shipoch, Tilly, Zimmerman.

Engrossed Senate Bill No. 2488 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### MESSAGE FROM THE SENATE

February 9, 1974

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 3003, and ask the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

On motion of Mr. King, the House refused to recede from its amendments to Engrossed Senate Bill No. 3003, and asked the Senate for a conference thereon.

## MESSAGES FROM THE SENATE

February 12, 1974

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 102,  
HOUSE BILL NO. 474,  
HOUSE BILL NO. 816,  
HOUSE BILL NO. 1169,  
HOUSE BILL NO. 1295,  
HOUSE BILL NO. 1296,  
HOUSE BILL NO. 1463,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 12, 1974

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3118, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mr. Perry moved that the House do recede from its amendments to Engrossed Substitute Senate Bill No. 3118.

Representatives Honan and Douthwaite spoke in favor of the motion, and Representatives Rabel, Perry, Nelson, Charette and Polk spoke against it.

The motion was not carried.

## MOTION

On motion of Mr. Perry, the House insisted on its position on Engrossed Substitute Senate Bill No. 3118, and asked the Senate for a conference thereon.

The Speaker resumed the Chair.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Brown, Gallagher and King as members of the Conference Committee on ENGROSSED SENATE BILL NO. 3003.

## MESSAGE FROM THE SENATE

February 12, 1974

Mr. Speaker:

The Senate refuses to recede from its amendments to SECOND SUBSTITUTE HOUSE BILL NO. 383, and asks the House for a conference thereon, and the President has appointed as members of said Conference Committee: Senators Fleming, Murray and Woody.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Haussler, the House granted the request of the Senate for a conference on Second Substitute House Bill No. 383.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Adams, Haussler and Kuehnle as members of the Conference Committee on Second Substitute House Bill No. 383.

## SECOND READING

SECOND REENGROSSED SENATE BILL NO. 2366, by Senator Grant:

Relating to legislative redistricting.

The bill was read the second time.

On motion of Mr. King, the following amendment was adopted:

On page 2, section 3, line 5 following "part:" strike "B128-137, 201-207" and insert ", B201, B207"

Mr. King moved adoption of the following amendment:

On page 2, section 3, following line 26 and before line 27 insert the following:

"In Spokane County:

T 112 (Part: ED 30,80)"

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## MOTION

On motion of Mr. Charette, further consideration of Second Reengrossed Senate Bill No. 2366 was deferred, and the bill was placed on the second reading calendar following Engrossed Senate Bill No. 2416.

ENGROSSED SENATE BILL NO. 2416, by Senators Bottiger and Walgren:

Implementing the law relating to motor vehicle theft.

The bill was read the second time.

Committee on Judiciary recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-second day, 3rd ex. sess., February 4, 1974.)

On motion of Mr. Knowles, the committee amendments were adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2416 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2416 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representative Haussler.

Engrossed Senate Bill No. 2416 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Eng, Rabel and Smith as members of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3118.

#### MESSAGE FROM THE SENATE

February 12, 1974

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2938,  
SENATE BILL NO. 3021,  
SENATE BILL NO. 3064,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.



## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
 SUBSTITUTE SENATE BILL NO. 2938,  
 SENATE BILL NO. 3021,  
 SENATE BILL NO. 3064.

## SECOND READING

SECOND REENGROSSED SENATE BILL NO. 2366, as amended by the House, by Senator Grant:

Relating to legislative redistricting.

The House resumed consideration of Second Reengrossed Senate Bill No. 2366.

The Speaker stated the question before the House to be the amendment by Mr. King to page 2, line 26.

The amendment was adopted.

On motion of Mr. King, the following amendments were adopted:

On page 4, section 5, line 5 following "part," strike "B101-127, 208-230;" and insert "BG1, B202-206, B208-230,"

On page 4, section 5, strike all of line 15.

On page 5, section 7, following line 25 and before line 26 insert the following:

"CCD 8 (part: ED 20 except sections 20, 21, and 28 R18E, T14N)"

On page 6, section 8, line 1 following "20" strike "-22)" and insert "(part: section 20, 21, 28, R18E, T14N, ED 21-22)"

## MOTION

Mr. Charette moved that the rules be suspended, the second reading considered the third, and Second Reengrossed Senate Bill No. 2366 as amended by the House be placed on final passage.

Mrs. North (Lois) spoke against the motion.

Mr. Bluechel demanded an electric roll call, and the demand was sustained.

Mr. King spoke in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Charette to suspend the rules and advance Second Reengrossed Senate Bill No. 2366 as amended by the House to third reading and final passage, and the motion passed by the following vote: Yeas, 70; nays, 23; not voting, 4.

Voting yea: Representatives Adams, Anderson,  
 Bagnariol, Barnes, Bauer, Bausch, Benitz, Berentson,

Ceccarelli, Charette, Chatalas, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Luders, Martinis, Maxie, May, McCormick, Morrison, Newhouse, O'Brien, Pardini, Parker, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinpoch, Smith, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bender, Blair, Bluechel, Brown, Charnley, Clemente, Eng, Fortson, Hansey, Hayner, Kishimoto, Kraabel, Leckenby, Matthews, Nelson, North F., North L., Paris, Schumaker, Sommers, Tilly, Zimmerman.

Not voting: Representatives Kelley, Lysen, Moon, Patterson.

The Speaker stated the question before the House to be the final passage of Second Reengrossed Senate Bill No. 2366 as amended by the House.

Representatives Hurley and Garrett spoke in favor of the bill, and Representatives Blair, Amen, North (Lois) and Bluechel spoke against it.

Mr. Luders demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Reengrossed Senate Bill No. 2366 as amended by the House, and the bill passed the House by the following vote: Yeas, 53; nays, 42; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Benitz, Berentson, Ceccarelli, Chatalas, Conner, Curtis, Ellis, Flanagan, Freeman, Gallagher, Garrett, Gilleland, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Luders, Martinis, Maxie, May, McCormick, Morrison, Newhouse, O'Brien, Pardini, Parker, Perry, Polk, Randall, Savage, Smith, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bender, Blair, Bluechel, Brown, Charette, Charnley, Clemente, Cunningham, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fortson, Gaines, Gaspard, Hansey, Hayner, Hendricks, Honan, Juelling, Kelley, Kishimoto, Kraabel, Leckenby, Lysen, Matthews, Moon, North F., North L., Paris, Patterson, Pullen, Rabel, Schumaker, Shinpoch, Sommers, Tilly, Wilson, Zimmerman.

Not voting: Representatives Nelson, Williams.

Second Reengrossed Senate Bill No. 2366 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Charette, Second Reengrossed Senate Bill No. 2366 as amended by the House, was ordered transmitted immediately to the Senate.

ENGROSSED SENATE BILL NO. 3135, by Senator Durkan:

Providing for an alternate method of valuing real property.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3135 was placed on final passage.

Representatives Gallagher and Gaspard spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3135, and the bill passed the House by the following vote: Yeas, 89; nays, 6; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kelley, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Bluechel, Julin, Kopet, Pardini.

Not voting: Representatives Kalich, Parker.

Engrossed Senate Bill No. 3135, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3209, by Senators Sandison, Donohue, Atwood and Clarke:

Amending the laws relating to taxation of insurance pensions.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3209 was placed on final passage.

Mr. Morrison spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3209, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Moon.

Not voting: Representatives Berentson, Curtis, Haussler.

Senate Bill No. 3209, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3338, by Senator Walgren (by Department of Highways request):

Permitting the designation of exclusive bus and car pool lanes.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3338 was placed on final passage.

Mr. Perry spoke in favor of the bill, and Mr. Leckenby spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3338, and the bill passed the House by the following vote: Yeas, 90; nays, 3; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shimpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Flanagan, Gaspard, Williams.

Not voting: Representatives Brown, Juelling, Laughlin, Patterson.

Engrossed Senate Bill No. 3338, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 149,  
by Committee on Constitution and Elections (Originally  
sponsored by Senators Washington and Scott):

Relating to governmental powers.

The resolution was read the second time.

On motion of Mr. Thompson, the following amendments were adopted:

On page 3, lines 9 and 10 after "during" strike "late August and early September" and insert "early September after Labor Day,"

On page 3, line 26 after "(6)" strike "Delegates" and insert "Washington State delegates"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Concurrent Resolution No. 149 as amended by the House was placed on final passage.

Representatives Thompson, Zimmerman and O'Brien spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Concurrent Resolution No. 149 as amended by the House, and the resolution passed the House by the following vote: Yeas, 97; nays, 0; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz,

Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Engrossed Substitute Senate Concurrent Resolution No. 149 as amended by the House, having received the constitutional majority, was declared passed.

The Speaker called on Mr. O'Brien to preside.

#### MESSAGES FROM THE SENATE

February 12, 1974

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SENATE BILL NO. 3003, and the President has appointed as conferees thereon: Senators Grant, Newschwander and Washington.

Sidney R. Snyder, Secretary.

February 12, 1974

Mr. Speaker:

The Senate refuses to recede from its amendments to SUBSTITUTE HOUSE BILL NO. 748, and asks the House for a conference thereon, and the President has appointed as conferees: Senators Francis, Marsh and Clarke.

Bill Gleason, Assistant Secretary.

#### MOTION

On motion of Mr. Charette, the house granted the request of the Senate for a conference on Substitute House Bill No. 748.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) appointed Representatives Knowles, Smith and Hayner as members of the Conference Committee on Substitute House Bill No. 748.

#### SECOND READING

SUBSTITUTE SENATE BILL NO. 2701, by Committee on Ways and Means (Originally sponsored by Senator Matson):

Providing for a migrant worker labor camp demonstration project.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2701 was placed on final passage.

Mr. Newhouse spoke in favor of the bill.

#### MOTION

Mr. Newhouse moved that the rules be suspended, and Substitute Senate Bill No. 2701 be returned to second reading for the purpose of amendment.

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

On motion of Mr. Morrison, the following amendments were adopted:

On page 2, section 5, line 12 after "Sec. 5." strike everything down to and including "PROVIDED, That it" on line 16 and insert "It"

On page 1, line 2 of the title strike "; making an appropriation"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 2701 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 2701 as amended by the House, and the bill passed the House by the following vote: Yeas, 92; nays, 4; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Higgins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bausch, May, Wilson, Zimmerman.

Not voting: Representative Curtis.

Substitute Senate Bill No. 2701 as amended by the House, having received the constitutional majority, was

declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, Engrossed Senate Bill No. 3135, Senate Bill No. 3209, Engrossed Senate Bill No. 3338, Engrossed Substitute Senate Concurrent Resolution No. 149 and Substitute Senate Bill No. 2701 were ordered transmitted immediately to the Senate.

## MESSAGES FROM THE SENATE

February 12, 1974

Mr. Speaker:

The Senate has granted the request of the House for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 3118, and the President has appointed as conferees thereon: Senators Bottiger, Guess and Dore.

Bill Gleason, Assistant Secretary.

February 12, 1974

Mr. Speaker:

The Senate has receded from its amendment to ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 62, to page 2, line 28, and has passed the resolution with the remaining Senate amendments, and said bill, together with the remaining amendments, is herewith transmitted.

Bill Gleason, Assistant Secretary.

Mr. Parker spoke in favor of Engrossed House Concurrent Resolution No. 62 as amended by the Senate.

Engrossed House Concurrent Resolution No. 62 as amended by the Senate, was adopted.

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

The Speaker called the House to order.

## MESSAGES FROM THE SENATE

February 12, 1974

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1006,  
ENGROSSED HOUSE BILL NO. 1245,  
HOUSE BILL NO. 1334,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

February 12, 1974

Mr. Speaker:

The Senate has passed SECOND REENGROSSED SENATE BILL NO. 2004 with the House amendments, except the amendment to page 3, section 3, line 13, from which the House receded.

Sidney R. Snyder, Secretary.



February 12, 1974

Mr. Speaker:

The Senate has passed:  
SENATE CONCURRENT RESOLUTION NO. 153,  
and the same is herewith transmitted.  
Sidney R. Snyder, Secretary.

February 11, 1974

Mr. Speaker:

The Senate has passed:  
ENGROSSED SUBSTITUTE SENATE JOINT MEMORIAL NO. 123,  
and the same is herewith transmitted.  
Sidney R. Snyder, Secretary.

MOTION

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

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE JOINT MEMORIAL NO. 123, by Committee on Transportation and Utilities (Originally sponsored by Senators Day and Keefe):

Requesting the United States Congress to take necessary steps to alleviate the energy crisis.

To Committee on Transportation and Utilities.

SENATE CONCURRENT RESOLUTION NO. 153, by Senators Mardesich and Bailey:

Adjourning the 3rd Extraordinary Session of the 43rd Legislature until April 15, 1974.

MOTION

On motion of Mr. Charette, the rules were suspended, and Senate Concurrent Resolution No. 153 was placed on the calendar for second reading.

SENATE AMENDMENTS TO HOUSE BILL

February 12, 1974

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1310 with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. That the following appropriations are hereby adopted and subject to the provisions set forth in the following sections or so much thereof as shall be sufficient to accomplish the purposes designated are hereby appropriated and authorized to be disbursed by the designated agencies and offices of the state and for other specified purposes, including operations and capital improvements, for the fiscal

biennium beginning July 1, 1973, and ending June 30, 1975, except as otherwise provided, out of the several funds of the state hereinafter named.

NEW SECTION. Sec. 2. FOR THE STATE  
EMPLOYEES' INSURANCE BOARD  
State Employees' Insurance Revolving Fund  
Appropriation ..... \$ 48,569

NEW SECTION. Sec. 3. FOR THE PUBLIC  
DISCLOSURE COMMISSION  
General Fund Appropriation ..... \$ 190,242

NEW SECTION. Sec. 4. FOR THE GOVERNOR'S  
INDIAN ADVISORY COUNCIL  
General Fund Appropriation ..... \$ 116,626

NEW SECTION. Sec. 5. FOR THE ASIAN-AMERICAN  
ADVISORY COUNCIL  
General Fund Appropriation ..... \$ 57,126

NEW SECTION. Sec. 6. FOR THE WASHINGTON  
STATE WOMEN'S COUNCIL  
General Fund Appropriation ..... \$ 58,556

NEW SECTION. Sec. 7. FOR THE STATE  
TREASURER  
State Treasurer's Service Fund Appropriation: PROVIDED,  
That none of this appropriation  
shall be used to process after  
January 1, 1975 any warrant issued by  
the state in payment of salary and wages  
or reimbursement of expenses paid state  
officials or employees or payments to  
vendors which shall contain any statement,  
representation, contract, or commitment  
that requires the payee to consent thereto  
as a condition of endorsement or receiving  
payment of such warrant..... \$ 152,016

War Veterans' Compensation Fund  
Appropriation..... \$ 2,093,815

NEW SECTION. Sec. 8. FOR THE  
WASHINGTON STATE DATA PROCESSING AUTHORITY  
General Fund Appropriation: PROVIDED,  
That \$250,000 of this appropriation  
shall be used for capitalization of  
a Data Processing Revolving Fund ..... \$ 525,700

NEW SECTION. Sec. 9. FOR THE COMMISSION  
ON MEXICAN-AMERICAN AFFAIRS  
General Fund Appropriation ..... \$ 35,724

NEW SECTION. Sec. 10. FOR THE  
DEPARTMENT OF REVENUE  
General Fund Appropriation: PROVIDED,  
That this appropriation shall be  
available to fund a pilot program by  
Pierce county utilizing and developing  
a system of taxpayer reporting of assessment  
information as provided in chapter ...  
(SB 3135), Laws of 1974 ... ex. sess.:  
PROVIDED FURTHER, That any part of the  
appropriation for such pilot program  
may be used for matching purposes in  
in order to receive federal or other  
funds: PROVIDED FURTHER, That the  
department of revenue and Pierce

county shall each make a separate evaluation of such pilot program and report the results of such evaluation to the House and Senate Ways and Means Committees not later than November 1, 1974: PROVIDED, That \$187,004 shall be expended for the purpose of conducting revaluation ratio studies or indicated ratio studies as prescribed by chapter 195, Laws of 1973

1st ex. .... sess. .... \$ 387,004

NEW SECTION. Sec. 11. FOR THE UNIFORM

LEGISLATION COMMISSION

General Fund Appropriation .....\$ 2,400

NEW SECTION. Sec. 12. FOR THE DEPARTMENT

OF GENERAL ADMINISTRATION

General Fund Appropriation For Operations .. \$ 109,718

General Fund Appropriation

For fossil fuel allocation activities

in state government ..... \$ 63,385

General Fund Appropriation: PROVIDED,

That this appropriation shall be utilized solely for a demonstration pilot program for migrant labor housing authorized pursuant to the provisions of chapter ... (SSB 2701), Laws of 1974

... ex. sess. .... \$ 100,000

NEW SECTION. Sec. 13. FOR THE INSURANCE

COMMISSIONER

General, Fund Appropriation: PROVIDED,

That this appropriation shall be used solely for the administration of the voluntary no-fault insurance program in the state .....

..... \$ 450,000

NEW SECTION. Sec. 14. FOR THE BOARD OF

ACCOUNTANCY

General Fund Appropriation ..... \$ 6,000

NEW SECTION. Sec. 15. FOR THE LIQUOR

CONTROL BOARD

Liquor Board Revolving Fund Appropriation .. \$ 174,369

NEW SECTION. Sec. 16. FOR THE MILITARY

DEPARTMENT

General Fund Appropriation ..... \$ 53,440

NEW SECTION. Sec. 17. FOR THE

HIGHER EDUCATION PERSONNEL BOARD

Higher Education Personnel Board Service

Fund Appropriation: PROVIDED, That this appropriation shall be used to implement comprehensive classification and compensation plan for classified employees at institutions of higher education .....

..... \$ 49,123

NEW SECTION. Sec. 18. FOR THE

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

General Fund Appropriation

For Veterans' Services: PROVIDED, That this

amount or so much thereof as shall be necessary along with available local funds shall be used to add nursing

and medical related staffing at the State Veterans' Home and the State Soldiers' Home so as to meet state licensing standards for domiciliary and nursing home facilities ..... \$ 450,624

General Fund Appropriation

For Adult Probation and Parole: PROVIDED, That this amount shall be used to fund the staff necessary to conduct pre-sentence investigations, preliminary hearings and to maintain current services and meet existing workloads ..... \$ 1,030,601

General Fund Appropriation

For Mental Health: PROVIDED, That the Department of Social and Health Services is authorized to draw this amount in Federal Title XIX funds for use in the Community Mental Health and Drug Abuse programs ..... \$ 2,395,995

General Fund Appropriation

For Community Social Services: PROVIDED, That this amount shall be used for the Adult Family Home Program to establish a basic monthly rate of \$175.00 for family home care and \$200.00 for minimum nursing care effective July 1, 1974: PROVIDED FURTHER, That this rate will be in effect until such time as the Department establishes a cost-related reimbursement system which shall recognize all relevant cost factors..... \$ 130,000

General Fund Appropriation

For Food Cost Increases: PROVIDED, That a total of \$23,365,519 shall be expended to increase food cost allowances for state institutions, public assistance recipients and vendors for the 1973-75 biennium: PROVIDED, That of this appropriation \$14,871,475 shall be from state funds and \$8,494,044 shall be from federal funds: PROVIDED FURTHER, That the \$8,273,062 in excess social service revenue not contemplated in the 1973-75 biennial appropriations shall be returned to the General Fund and not used to expand departmental programs. \$ 23,365,519

NEW SECTION. Sec. 19. FOR THE HUMAN RIGHTS COMMISSION

General Fund Appropriation ..... \$ 46,156

NEW SECTION. Sec. 20. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation: PROVIDED, That this appropriation be used for increased workload due to enforcement of the Contractor's Registration Act .... \$ 25,000

NEW SECTION. Sec. 21. FOR THE BOARD

OF PRISON TERMS AND PAROLES

General Fund Appropriation: PROVIDED,  
 That not less than \$65,000 of this  
 appropriation shall be available  
 to provide legal counsel to  
 indigent parole violators ..... \$ 210,140

NEW SECTION, Sec. 22. FOR THE

EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation: PROVIDED,  
 That this amount shall be used for  
 the design, development, and  
 implementation of an experimental  
 program leading to employment of  
 at least 100 mentally retarded  
 persons currently in Activity  
 Centers, Sheltered Workshops, Group  
 Homes or Schools for the Mentally  
 Retarded and this program will  
 include employment preparation,  
 diagnostic orientation and testing,  
 academic tutoring, social adjustment,  
 orientation to employment and  
 employment relationships, job search  
 and placement and employer orientation  
 to provide employers of the trainees  
 with an understanding of the unique  
 assets and limitations of the mentally  
 retarded as they relate to employment  
 responsibilities, and will provide  
 for financial penalties to the extent  
 that such performance objectives are  
 not met ..... \$ 170,000

General Fund Appropriation

For use in developing a program for  
 the delivery of specialized employment  
 services to persons previously  
 convicted of a felony and all offenders  
 receiving parole stipend moneys must  
 actively participate in preemployment  
 counseling and placement programs  
 approved by the Department of  
 Employment Security and refusal to  
 participate in programs authorized  
 by this provision will result in  
 termination of any post release stipend  
 being provided to subject felons:  
 PROVIDED, That the department shall  
 contract for the development of such  
 a program after calling for competitive  
 bids and contracts awarded under this  
 provision will contain performance  
 specifications and financial penalties  
 to the contractor in the event of  
 nonperformance ..... \$ 250,000

General Fund Appropriation

For continuation of an ongoing  
 performance oriented program of  
 moving unemployed persons to full  
 time employment: PROVIDED, That

this funding is for the period  
 January 1, 1975 through June 30,  
 1975: PROVIDED FURTHER, That  
 the funds contained in this  
 appropriation can be expended  
 earlier in the event that the  
 insured unemployment rate exceeds  
 6.5 percent in an area served by  
 the program ..... \$ 125,000

NEW SECTION. Sec. 23. FOR THE  
 DEPARTMENT OF MOTOR VEHICLES  
 General Fund Appropriation ..... \$ 521,557  
 Highways Safety Fund Appropriation ..... \$ 125,670  
 Motor Vehicle Fund Appropriation ..... \$ 16,634

NEW SECTION. Sec. 24. FOR THE  
 PLANNING AND COMMUNITY AFFAIRS AGENCY  
 General Fund Appropriation: PROVIDED,  
 That this appropriation shall be  
 used exclusively for the drug  
 abuse prevention program: PROVIDED,  
 That \$72,327 is from state funds  
 and \$950,000 is from federal funds ..... \$ 1,022,327

NEW SECTION. Sec. 25. FOR THE STATE  
 PATROL  
 General Fund Appropriation ..... \$ 308,457  
 Motor Vehicle Fund Appropriation ..... \$ 430,000

NEW SECTION. Sec. 26. FOR THE POLLUTION  
 CONTROL HEARINGS BOARD  
 General Fund Appropriation ..... \$ 111,092

NEW SECTION. Sec. 27. FOR THE PARKS  
 AND RECREATION COMMISSION  
 General Fund Appropriation  
 For agency operations: PROVIDED, That  
 \$30,000, or so much thereof as shall  
 be necessary, be utilized for  
 continuation of contractual agreements  
 with Grays Harbor and Pacific Counties  
 for beach patrol and law enforcement  
 on North Beach, South Beach, and Long  
 Beach ..... \$ 187,218  
 General Fund--Trust Land Purchase  
 Account Appropriation ..... \$ 600,000  
 General Fund Appropriation  
 For resource development and to facilitate  
 the commission's capital program ..... \$ 60,824

NEW SECTION. Sec. 28. FOR THE  
 INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION  
 General Fund--Outdoor Recreation  
 Account Reappropriation ..... \$ 4,456,956  
 General Fund--Outdoor Recreation  
 Account Appropriation  
 For the purpose of updating the  
 state outdoor recreation plan ..... \$ 46,578

NEW SECTION. Sec. 29. FOR THE  
 DEPARTMENT OF FISHERIES  
 General Fund Appropriation ..... \$ 1,931,202

NEW SECTION. Sec. 30. FOR THE  
 DEPARTMENT OF GAME  
 General Fund Appropriation ..... \$ 23,460

Game Fund Appropriation: PROVIDED, That at no time shall expenditures for Non-game Wildlife Programs exceed revenues realized from sale of personalized license plates: PROVIDED FURTHER, That \$10,000 shall be used solely for the protection and treatment of injured non-game species ..... \$ 294,026

NEW SECTION. Sec. 31. FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation ..... \$ 16,652

General Fund--Resource Management Cost Account Appropriation ..... \$ 607,412

NEW SECTION. Sec. 32. FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation: PROVIDED, That of this appropriation \$65,000 shall be used for inspectors to be utilized in brand inspection and to investigate rustling activities: PROVIDED, That \$5,000 shall be used for brand recording: PROVIDED FURTHER, That \$75,000 shall be expended by the department as their one-third share of a pilot program in Clark, Cowlitz Lewis and Thurston Counties directed toward eradication of the Noxious Tansy Ragwort Weed, each county and participating individual agricultural landowner to provide their equal one-third share .....\$ 145,000

General Fund Appropriation: PROVIDED, That this appropriation is to be expended exclusively for the operation of an animal diagnostic laboratory at Washington State University: PROVIDED FURTHER, That such amount be reduced proportionately by any sums collected by the Department of Agriculture for the purposes of providing said diagnostic services .....\$ 132,000

Grain and Hay Inspection Fund Appropriation..\$ 551,674

NEW SECTION. Sec. 33. FOR THE EXPO '74 COMMISSION

General Fund Appropriation: PROVIDED, That \$110,000 is for a state environmental program exhibit and a like amount is transferred from the State Trade Fair Fund to the General Fund pursuant to Chapter 93, Laws of 1972 ex. sess.: PROVIDED FURTHER, That \$200,000 is for an Afro-American Pavilion at the Expo '74 Worlds Fair to be matched by at least an equal amount of funds from federal, local, and private sources ..... \$ 310,000

NEW SECTION. Sec. 34. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION General Fund Appropriation for General Apportionment: PROVIDED, That the weighting schedule to be used in computing the apportionment of funds for each district for 1973-75 shall be based on the following factors: Each full time equivalent

student enrolled -- 1.0; each full time equivalent student enrolled in vocational education in grades 9-12 when excess costs are documented for the class and where the class is approved by the state Superintendent, an added -- 1.0; all identified culturally disadvantaged children receiving an approved program, an added -- .1; the factor established by the Superintendent of Public Instruction for use in the 1973-75 biennium designed to reimburse each district for costs resulting from staff education and experience greater than the minimum in the average salary schedule in use by Washington school districts adjusted to reflect legislative appropriation levels shall be used; for school districts enrolling fewer than 250 students in grades 9-12, for nonhigh districts judged remote and necessary by the State Board of Education and which enroll fewer than 100 students, and for small school plants which are judged remote and necessary within school districts by the state board of education shall be in accordance with the weighting factors used during the 1972-73 school year: PROVIDED, That all school districts judged remote and necessary for school apportionment purposes during the 1972-73 school year shall be considered remote and necessary for school apportionment purposes throughout the 1973-75 biennium unless their enrollment exceeds 250 students in grades 9-12 or for nonhigh districts unless their enrollment exceeds 100 students: PROVIDED, That a school district formed after July 1, 1971 and which formerly consisted of one or more school districts qualifying during the preceding school year for additional weighting under the "remote and necessary" provision or "fewer than 250 students in grades 9-12" provision shall receive for a period of four years following consolidation such additional weighting as accrued to the qualifying district or districts for the school year preceding consolidation; full time equivalent students residing on tax exempt property (Chapter 130, Laws of 1969), an added -- .25; full time equivalent students in an approved interdistrict cooperative program (Chapter 130, Laws of 1969), an added -- .25: PROVIDED, That \$1,148,325 is included for allocation to local school districts outside the school apportionment formula during



the 1973-74 school year for the purpose of funding the difference between funds received to date and hereafter through the school apportionment formula for continuation of the \$40 per month salary increase provided for classified employees February 1, 1973 and the amount necessary for such continuation: PROVIDED, That

an amount not to exceed \$345,020 is included for the five vocational-technical institutes: PROVIDED, That no portion of these funds shall be allocated to a school district which expends or anticipates expending moneys in excess of their certified budget or budget extensions thereto as filed with the office of the Superintendent of Public Instruction and the Board of Education: PROVIDED, That it is the intent of the Legislature that \$11,100,000 of the funds contained in this appropriation shall be used to reduce maintenance and operations excess levies to the extent an individual school district's revenue for 1974-75 exceeds the school district's revenue for 1973-74 exclusive of the two mill payment delayed from June to July: PROVIDED, That the Superintendent of Public Instruction shall withhold from the amounts otherwise to be distributed through the apportionment formula to the districts any funds in excess of such 1973-74 revenues unless such districts demonstrate that excess maintenance and operations levies have been reduced to a comparable level with 1973-74 school district revenues: PROVIDED, That no district shall be required to reduce excess maintenance and operation levies if such districts revenue per pupil for basic support is below the state-wide average of the 1973-74 school year for comparable districts: PROVIDED, That the receipt of federal funds which can be distributed through the apportionment formula and which provide funding in excess of 1973-74 categorical funding levels shall require the reversion of an equal amount of state funds at the end of the biennium: PROVIDED FURTHER, That the Superintendent of Public Instruction shall consult with the House and Senate Ways and Means Committees prior to taking any action in compliance with these provisos and the determination of such committees shall be interpreted as a directive to the Superintendent of Public Instruction.. \$115,775,342

NEW SECTION. Sec. 35. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION General Fund Appropriation

For the Superintendent of Public Instruction for state institutional education program ..... \$ 1,183,003  
 Sec. 36. Section 112, chapter 137, Laws of 1973 1st

ex. sess. (uncodified) is amended to read as follows:  
 FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund Appropriation: For allocation by the Superintendent of Public Instruction for classified employee salary increases based on local prevailing wage rates and where appropriate equation with the State Department of Personnel salary schedule: PROVIDED, That the Superintendent of Public Instruction is authorized to expend from this appropriation an amount not to exceed \$50,000 for the conduct of a salary survey prior to the allocation of this appropriation: PROVIDED FURTHER, That ((the Superintendent of Public Instruction is authorized to appoint a five member advisory committee to assist in developing guidelines and criteria for allocation of this appropriation)) a base rate of not less than \$13.59 per month per full time equivalent classified employee shall be allocated to each district: PROVIDED FURTHER, That the Superintendent of Public Instruction is authorized to allocate the balance of this appropriation according to the guidelines developed in the salary survey..... \$ ((5,000,000)) 7,700,000

NEW SECTION. Sec. 37. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION General Fund Appropriation: PROVIDED, That this amount shall be used to expand, improve, and develop current and new information and accounting systems designed to improve the data base of the Superintendent of Public Instruction ..... \$ 135,000

NEW SECTION. Sec. 38. Allocations of the \$19,114,368 appropriated to the Superintendent of Public Instruction in section 86, chapter 137, Laws of 1973 1st ex. sess., for allocation to local school districts through the school apportionment formula for the purposes of continuing, during the 1973-75 biennium a state-wide average \$40 per month salary increase provided for classified employees February 1, 1973 and such additional per full-time classified employee increases (prorated for part-time) as are funded by such allocation, as heretofore done by the state Superintendent, are hereby ratified and approved.

NEW SECTION. Sec. 39. FOR THE ARTS COMMISSION General Fund Appropriation: PROVIDED, That \$100,000 of this appropriation shall be used for the purpose of securing federal funds to aid in development of a viable operatic program in this

state ..... \$ 163,585

NEW SECTION. Sec. 40. FOR THE COUNCIL ON HIGHER EDUCATION

General Fund Appropriation

For the state student financial aid program as authorized by RCW 28B.10.800 through 28B.10.824: PROVIDED, That none of these funds shall be expended for administrative purposes ..... \$ 1,800,000

NEW SECTION. Sec. 41. FOR THE STATE LIBRARY General Fund Appropriation: PROVIDED,

That \$1,336,000 of this amount should be allotted to local library districts to replace local property tax revenues and maintain present levels of library service: PROVIDED, That \$1,669,353 of this amount shall be from Federal funds under which \$1,408,620 is available for library service and \$260,733 is available for capital construction purposes: PROVIDED HOWEVER, That no Federal funds shall be expended unless authorized by the Senate and House Ways and Means Committees of the legislature: PROVIDED FURTHER, That \$863,000 of the State General Funds appropriated to the state library for the 1973-75 biennium shall be held in unallotted status and against which no expenditures or commitments shall be made pending the determination by the Office of Program Planning and Fiscal Management and the House and Senate Ways and Means Committees as to whether or not Federal funds can be authorized in lieu of the \$863,000 appropriation of state funds: PROVIDED FURTHER, That if the Federal funds are available, the \$863,000 in state funds shall revert to the state treasury..... \$ 3,005,353

NEW SECTION. Sec. 42. FOR THE EVERGREEN STATE COLLEGE General Fund Appropriation: PROVIDED,

That an additional one hundred and fifty students may be enrolled for the 1974-75 school year and such enrollment growth shall be in addition to the 1973-75 allowed enrollment level ..... \$ 171,627

NEW SECTION. Sec. 43. FOR WASHINGTON STATE UNIVERSITY General Fund Appropriation: PROVIDED, That

\$100,000 is appropriated to accelerate and expand current research into alternative methods of burning grasses grown for commercial seed production pursuant to implementation of the Federal Clean Air Act: PROVIDED, That \$30,800 of this appropriation shall be used for research into alternative methods of controlling the noxious

weed Tansy Ragwort (Senecio-Jacobaea):

PROVIDED, That the remaining \$13,750 of this appropriation shall be used for research into an inventory of wetlands and the benefit of wetlands for water fowl habitat: PROVIDED, That an equal amount of \$13,750 shall be provided to Washington State University by the Department of Ecology from funds available to the Department of Ecology for water research: PROVIDED FURTHER, That the appropriation of \$50,000 made to Washington State University by section 3, chapter 131, Laws of 1973 1st ex. sess. for staff, design, and beginning construction of an underground distribution test site, shall be placed in reserve and not expended .....

\$ 144,550

NEW SECTION. Sec. 44. FOR THE STATE BOARD FOR

COMMUNITY COLLEGE EDUCATION

General Fund Appropriation: PROVIDED, That this appropriation shall be for the continued implementation of a Management Information System directed toward analytical data gathering and evaluation of such data as required by the State Board for Community College Education and the Legislative and Executive branches of government: PROVIDED FURTHER, That no expenditure of any of these funds shall be made until the final system design is approved by the State Data Processing Authority and the Office of Program Planning and Fiscal Management .....

\$ 500,000

NEW SECTION. Sec. 45. FOR THE GOVERNOR--SPECIAL

APPROPRIATIONS

General Fund Appropriation: PROVIDED, That these funds shall be distributed to institutions of higher education including community colleges to implement a uniform personnel classification and compensation system .....

\$ 1,467,000

NEW SECTION. Sec. 46. FOR THE GOVERNOR--SPECIAL

APPROPRIATIONS General Fund Appropriation: To

provide effective July 1, 1974, sufficient appropriations as are necessary to implement a sixth increment step for ranges five through twenty-two inclusive, to the State Personnel Board salary schedule as adopted effective January 1, 1974: PROVIDED, That all employees in ranges five through twenty-two who on July 1, 1974 have been in the fifth step for twelve months or more shall on July 1, 1974 advance to the sixth step; employees who have been in the fifth step less

than twelve months shall advance to the sixth step on their regular periodic increment date and any employee subsequently completing twelve months at the fifth step shall advance to the sixth step on their periodic increment date: PROVIDED FURTHER, That funds may be allocated from this appropriation to provide comparable salary increases for employees of judicial and legislative agencies: AND PROVIDED FURTHER, That classified employees under chapter 28B.16 RCW who are assigned to HEPB salary range 41 or below shall receive a 5% salary increase on July 1, 1974, if they were at the top step of their institutional salary range on or before July 1, 1973, or whenever they would have completed 12 months at the top step of their former institutional range and who are not now eligible for a 5% incremental step under the Higher Education Personnel Board Compensation Plan adopted January 1, 1974 ..... \$ 4,650,228

Special Fund Salary Increase Revolving Fund Appropriation: The State Treasurer is hereby directed to transfer sufficient revenue from each special fund to the Special Fund Salary Increase Revolving Fund, in accordance with schedules provided by the Office of Program Planning and Fiscal Management, as required to implement effective July 1, 1974, a sixth step for ranges five through twenty-two inclusive, to the State Personnel Board salary schedule as adopted effective January 1, 1974, and for comparable salary increases for employees of judicial and legislative agencies; and for a five percent salary increase for classified employees under the jurisdiction of chapter 28B.16 RCW who are assigned to HEPB salary range 41 or below effective July 1, 1974, if they were at the top step of their institutional salary range on or before July 1, 1973 or whenever they would have completed 12 months at the top step of their former institutional range and who are not now eligible for a 5% incremental step under the Higher Education Personnel Board compensation plan adopted January 1, 1974 ..... \$ 1,743,108

Sec. 47. Section 4, chapter 131, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:  
 FOR THE EASTERN WASHINGTON STATE COLLEGE  
 General Fund Appropriation: PROVIDED,  
 That up to \$((100,000)) 146,000 of this appropriation shall be made

available for establishment and support of a Master of Social Work graduate program during the 1973-75 biennium .....

..... \$ ((20,983,044)) 20,992,445

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter ((SSB 2854)) 137, Laws of 1973 1st ex. sess. for faculty and exempt personnel .....

..... \$ 684,383

Sec. 48. Section 5, chapter 131, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE CENTRAL WASHINGTON STATE COLLEGE

General Fund Appropriation: PROVIDED, That

Central Washington State College may expend an amount not to exceed \$125,000 to explore the feasibility of the development and implementation of a management by objective program for the administration of public agencies .....

..... \$ ((22,440,240)) 21,655,934

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter ((SSB 2854)) 137, Laws of 1973 1st ex. sess. for faculty and exempt personnel .....

..... \$ 850,876

Sec. 49. Section 7, chapter 131, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WESTERN WASHINGTON STATE COLLEGE

General Fund Appropriation ... \$ ((25,530,776)) 24,618,515

General Fund Appropriation: For salary and related fringe benefit increases in addition to any other increases authorized by chapter ((SSB 2854)) 137, Laws of 1973 1st ex. sess. for faculty and exempt personnel .....

..... \$ 1,032,000

NEW SECTION. Sec. 50. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

From the	From the
Community College	Community College
Capital Improve-	Capital Projects
ments Account	Account

(1) Construct classrooms, science labs, faculty offices, learning resource center, administration, dining and storage space at Olympia Vocational Technical Institute

\$ 1,382,377

\$ 222,000

(2) Working drawings for vocational facilities, a learning resource center, faculty and administrative offices, and classroom at

Spokane Community College (Mission Campus)	\$ 282,957	
(3) Working drawings for administrative space, remodeling the learning resource center, and a new welding facility at Green River Community College	\$ 40,216	
(4) Working drawings for vocational facilities, learning resource center space and remodeling of present library at Lower Columbia Community College	\$ 75,967	
(5) Working drawings for vocational facilities, science labs and faculty offices at Everett Community College	\$ 64,737	
(6) Working drawings for vocational facilities, additions to the library and dining facilities and remodeling of the library at Peninsula College	\$ 20,756	\$ 5,654
(7) Working drawings for dining, office, health, bookstore, study space, and remodeling of existing facility at Columbia Basin College		\$ 48,272
(8) Working drawings for a library addition, student dining and activity space, and remodeling at Spokane Community College (Spokane Falls Campus)	\$ 18,167	\$ 59,468
(9) Working drawings for vocational facilities and faculty offices in Unit C at the South Seattle campus of Seattle Community College	\$ 24,229	
(10) Working drawings for dining and office space at Ft. Steilacoom Community College	\$ 7,481	\$ 17,455
(11) Working drawings for dining space and remodeling at Yakima Valley College		\$ 22,839
(12) Working drawings for dining space, science labs, and physical education space at Edmonds Community College	\$ 85,312	\$ 15,250
(13) Working drawings for		

learning resource center  
 and related office space  
 at Olympic College \$ 30,719  
 (14) Working drawings for  
 student activity space at  
 Walla Walla Community  
 College \$ 23,059  
 (15) Working drawings for  
 library, classrooms, and  
 labs at Shoreline  
 Community College \$ 46,133

NEW SECTION. Sec. 51. FOR THE STATE PARKS AND  
 RECREATION COMMISSION

From the From the  
 Fund Designated General Fund

For development of  
 Snowmobile Facilities  
 at Mt. Spokane  
 and for safety  
 improvements at  
 Moran State  
 Park \$ 30,000

NEW SECTION. Sec. 52. FOR THE  
 DEPARTMENT OF SOCIAL AND HEALTH SERVICES  
 General Fund Appropriation

For capital improvements required to  
 certify schools for the retarded as  
 skilled nursing homes ..... \$ 650,000

General Fund--State and Local Improvement  
 Revolving Account--Social and Health  
 Services Facilities: Appropriated  
 pursuant to the provisions of chapter  
 130, Laws of 1972 ex. sess., (Referendum  
 29), for social and health services  
 facilities: The Department of Social  
 and Health Services is authorized to  
 obligate for purposes of carrying  
 out the provisions of chapter 130,  
 Laws of 1972 ex. sess., For Capital  
 Improvements at the State Veterans' Home  
 and the State Soldiers' Home required  
 to meet state fire and safety standards...\$ 2,000,000

NEW SECTION. Sec. 53. FOR THE  
 DEPARTMENT OF FISHERIES

(1) For the construction  
 of the Elwha spawning  
 and egg incubation  
 channel or such other  
 capital facilities as  
 needed to restore  
 Elwha salmon run \$ 280,000

(2) For capital  
 construction and  
 improvements at Minter  
 Creek Hatchery \$ 200,000

NEW SECTION. Sec. 54. FOR THE  
 DEPARTMENT OF GAME

Reappropriations From the  
 General Fund



Outdoor  
Recreation  
Account 1971-73  
biennium

\$ 362,993

NEW SECTION Sec. 55. FOR THE  
DEPARTMENT OF NATURAL RESOURCES

From the Fund Designated From the General Fund

(1) For capital facilities at Larch Mountain Honor Camp General Fund  
CEPERI Account \$ 200,000

(2) For nursery reforestation and timber sale capital facilities  
Resource Management Cost Account \$ 1,777,000

(3) For reforestation access road construction  
General Fund Forest Development Account \$ 200,000

NEW SECTION. Sec. 56. FOR EASTERN WASHINGTON  
STATE COLLEGE

Eastern Washington State College Capital Projects Account appropriation for planning and working drawings for a fresh water research laboratory .....\$ 30,000

NEW SECTION. Sec. 57. The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period from the effective date of this 1974 amendatory act to June 30, 1975, except as otherwise noted.

SUNDRY CLAIMS

General Fund Appropriation for relief of various individuals, firms and corporations for sundry reasons to be disbursed on vouchers approved by the State Auditor as follows:

WESTERN WASHINGTON STATE COLLEGE,  
Final payment under agreement between the Washington State Office of Economic Opportunity and Western Washington State College (New Careers Program) .....\$ 23,063.50  
SALLY R. PATE, Reimbursement for special education classes at Sequim School for her son, Steven Robert Pate .....\$ 2,346.02  
SKAMANIA COUNTY TREASURER, For labor and equipment used on Fire District No. 74 flume fire .....\$ 641.06  
LAYTON AND ROY STALCUP, For refund of fuel tax .....\$ 487.82  
GRAYS HARBOR COUNTY AUDITOR, For payment of deficiency in the Tuberculosis Fund ..\$ 21,467.45  
ROBERT BENSON, PUBLIC PRINTER, For supplies and services furnished in

prior biennium to State Board for Community College Education .....	\$ 733.12
GEORGE ALLEN HARGROVE, For relief for unjust imprisonment, King County Cause No. 49436: PROVIDED, That the State Auditor is directed to draw up a separate warrant with voucher to be presigned by said George Allen Hargrove saying "the acceptance of this amount releases the state and all of its subdivisions, and their agents, of further claims arising out of the herein described alleged false imprisonment of the claimant".....	\$ 38,000.00
JOSEPH S. KANE, For attorney fees and cost from representing petitioner George Allen Hargrove: PROVIDED, That the State Auditor is directed to draw up a separate warrant to be presigned by said Joseph S. Kane stating "the acceptance of this amount relieves the state of further claims on this case and satisfies any claim for legal services I have against my client, George Allen Hargrove" .....	\$ 2,000.00
JOHN H. STENDER, Damage to automobile .....	\$ 84.00
FRANK T. CONNOR, Damage to automobile .....	\$ 101.80
JOHN S. MURRAY, Damage to automobile .....	\$ 113.73
ANNE K. MACRAE, Damage to automobile .....	\$ 116.93

PUBLIC ASSISTANCE BELATED CLAIMS

General Fund Appropriation to the Department  
of Social and Health Services and to be  
paid by the Department of Social and  
Health Services to the following vendors in  
full settlement of services rendered to  
welfare patients to be paid at the rate  
of sixty-seven percent of each late billing  
received for services rendered on vouchers  
approved by the Department of Social and  
Health Services:

PROVIDENCE HOSPITAL, For hospital services rendered at the request of the Department of Social and Health Services .....	\$ 7,406.11
MALCOM GARBER, M. D., For services rendered at the request of the Department of Social and Health Services .....	\$ 54.00
ARTHUR J. MADSEN, M.D. ....	\$ 3,387.52
CHARLES T. AMES .....	\$ 16.08
E & E LABORATORIES .....	\$ 230.39
NEUROLOGICAL ASSOCIATION .....	\$ 135.34

NEW SECTION. Sec. 58. Notwithstanding any other  
provision of law to the contrary, the Department of Social  
and Health Services shall not implement a simplified grant  
schedule for public assistance recipients prior to June 1,  
1974. The grant schedule in effect on January 1, 1974,  
shall remain effective until the Legislature can review  
alternatives to the present system of providing grants:  
PROVIDED FURTHER, That where assistance is being provided  
in the form of child welfare services resulting from a  
juvenile court order and the recipient person attains the  
age of eighteen, the department shall, in lieu of general

assistance payments continue the child welfare services through the end of the school year immediately following the recipient person's eighteenth birthday if the recipient person otherwise qualifies for such services.

NEW SECTION. Sec. 59. It is the intention of the Legislature that \$3,072,876 from local funds presently available within the Public Health Program of the Department of Social and Health Services for Firland Hospital shall remain unexpended at the end of the 1973-75 biennium.

NEW SECTION. Sec. 60. It is the intention of the Legislature that the department of social and health services shall allocate from the current appropriation for the developmental disability program \$50,000, or so much thereof as is necessary to implement the department of personnel salary survey findings for the Schools for the Blind and Deaf in compliance with the recommendations presented at the November 8, 1973 Personnel Board meeting.

NEW SECTION. Sec. 61. (1) Notwithstanding the provisions of chapter 139, Laws of 1973 1st ex. sess., the department of social and health services shall establish nursing home accounting and reimbursement systems which recognize relevant cost related factors for department of social and health services patients, including but not limited to the scope or level of services or care, requirements of staff, and physical plant, and which may include a reasonable rate of return on investment; said formula shall provide that no payments shall be made to a nursing home which does not permit inspection by the department of social and health services of every part of its premises and an examination of all records, including financial records, methods of administration, general and special dietary programs, the disbursement of drugs and methods of supply, and any other records the department deems relevant to the establishment of such system: PROVIDED FURTHER, That such reimbursement system shall not take effect until the department has specified staffing and other relevant treatment standards for the various classes of nursing homes and projected the costs associated with the establishment of such standards, and such standards and cost projections have been approved by the Ways and Means Committees of the House and Senate: AND PROVIDED FURTHER, That after such approval, the department shall file with the Ways and Means Committees of the House and Senate at least quarterly a report of the progress achieved in meeting such standards throughout the state and the actual costs incurred thereby.

(2) The department of social and health services shall explore the cost effectiveness of utilizing vendor services for medical assistance data processing, but shall not enter into any contract for such services without the approval of the Senate and House Ways and Means Committees.

NEW SECTION. Sec. 62. Notwithstanding any other provision of law or rule and/or regulations, the superintendent of public instruction is authorized to use not more than \$45,000 of apportionment funds to expand the state venereal disease education program and \$25,000 to assist the Pacific Science Center in conducting school district supplemental programs: PROVIDED, That the

superintendent shall use funds currently held in reserve status to finance these programs.

NEW SECTION. Sec. 63. Notwithstanding any provisions of RCW 28B.16.100 the implementation of salary adjustments provided for higher education classified personnel by sections 45 and 46 of this 1974 amendatory act shall be subject only to the approval of the Office of Program Planning and Fiscal Management as to the availability of funds.

NEW SECTION. Sec. 64. There is hereby appropriated out of funds made available to this state under section 903 of the Social Security Act, as amended, the sum of five hundred thousand dollars, or so much thereof as may be necessary, to be used under the direction of the commissioner of the employment security department for the purpose of paying the legally authorized and required salaries and fringe benefits, including prior biennium employer contributions to the Public Employees Retirement System for retirement service credits, to the employees of the employment security department of the state of Washington in the event and to the extent that the United States or its agents fail or refuse to supply sufficient current obligational authority to make such payments at the staff level in effect for such department on February 1, 1974, for the remainder of the 1973-1975 biennium: PROVIDED, That no part of the money hereby appropriated may be obligated after the expiration of the two-year period beginning on the date of enactment of this 1974 amendatory act: PROVIDED FURTHER, That the amount obligated pursuant to this 1974 amendatory act during any twelve-month period beginning on July 1st and ending on the next June 30th shall not exceed the amount by which (1) the aggregate of the amounts credited to the account of this state pursuant to section 903 of the Social Security Act during such twelve-month period and the twenty-four preceding twelve-month periods exceeds (2) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this state during such twenty-five twelve-month periods.

NEW SECTION. Sec. 65. The Office of Program Planning and Fiscal Management is hereby authorized and directed to transfer 1973-75 General Fund allotments from the Superintendent of Public Instruction to the Council on Higher Education after passage of Chapter ... (SB 3159), Laws of 1974 ... ex. sess. on the effective date of such chapter, as follows:

(1) So much of the \$5,000 appropriation to the Superintendent of Public Instruction remaining unexpended from the appropriation made in chapter 134, Laws of 1973 1st ex. sess. for assistance to blind students as provided for in RCW 28B.10.215; and

(2) \$7,500 from the appropriation made in chapter 134, Laws of 1973 1st ex. sess. for the Superintendent of Public Instruction (Including Board of Education) to implement the provisions of Chapter ... (SB 3159), Laws of 1974 ... ex. sess.

NEW SECTION. Sec. 66. The Office of Program Planning and Fiscal Management shall prepare a report on unfilled and unfunded positions for each and every agency of state

government subject to executive budget review under the provisions of chapter 43.88 RCW. This report shall be submitted to the chairmen of the House and Senate Ways and Means Committees on or before March 29, 1974. The form and content of the report and the form and manner of data submission by state agencies shall be as prescribed by the Director of the Office of Program Planning and Fiscal Management subject to the approval of the chairmen of the House and Senate Ways and Means Committees.

NEW SECTION. Sec. 67. (1) Federal funds, which were not anticipated relative to the appropriations enacted by the Legislature for the biennium ending June 30, 1975 for programs financed from both state and federal revenues, shall be used in lieu of moneys from state or local revenue sources unless prohibited by federal law, rule, regulation or other restriction. The provisions of RCW 43.79.260 through RCW 43.79.280 shall not apply to authorize expenditures beyond appropriated amounts from federal funds subject to this subsection. Exceptions to the rule imposed by this subsection may be granted by the Legislature if in session or by the Legislative Budget Committee during the interim between legislative sessions.

(2) Notwithstanding the provisions of RCW 43.79.260 through RCW 43.79.280 federal funds which are not subject to subsection (1) of this section and which were not anticipated relative to appropriations enacted by the Legislature shall not be allocated for expenditure in excess of appropriations provided by law for the biennium ending June 30, 1975 without prior approval of the Legislature if in session or by the Legislative Budget Committee during the interim between legislative sessions.

(3) Notwithstanding the provisions of RCW 43.79.260 through RCW 43.79.280 any unanticipated state or local revenues to appropriated funds or accounts shall not be allocated for expenditure in excess of appropriations provided by law for the biennium ending June 30, 1975 without prior approval of the Legislature if in session or by the Legislative Budget Committee during the interim between legislative sessions.

NEW SECTION. Sec. 68. It is the intention of the legislature that the term 'agencies' as used in section 86, chapter 137, Laws of 1973 1st ex. sess. for the purposes of authorizing an additional state contribution to employees health insurance shall include the employees of the Public Pension Commission, Office of the Governor, Lieutenant Governor, Supreme Court, State Law Library, Court of Appeals, Administrator for the Courts, and the Judicial Council.

NEW SECTION. Sec. 69. Notwithstanding the provisions of RCW 43.03.060 relative to a maximum limit on the reimbursement of state officers and employees for use of private automobiles on official state business during the fiscal biennium ending June 30, 1975, state officers and employees shall be reimbursed for their expenses necessarily incurred in authorized travel by private automobile on official state business at a mileage rate of not to exceed thirteen cents per mile, effective March 1, 1974 as directed by the director of the Office of Program Planning and Fiscal Management. It is the intent of the

Legislature that the Office of Program Planning and Fiscal Management and each state agency will carefully review existing travel practices and policies governing utilization of privately-owned automobiles on official state business and that sufficient economies be effected to at least offset any additional costs associated with the increase in the maximum reimbursement rate. The increase in the maximum rate allowed by this section shall not be used as the basis for any supplemental legislative appropriation.

Sec. 70. Section 62, chapter 137, Laws of 1973 1st ex. sess. is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation: PROVIDED,

That \$767,000 of the appropriation shall be expended as matching funds for activated air pollution control authorities and if such authorities do not match these funds during the 1973-75 biennium in an amount equal to the amount appropriated by this provisio, then the unexpended state funds shall revert to the department of ecology and it is the intent of the legislature that no additional job positions be created by activated air pollution control authorities with funds available from this proviso:

PROVIDED FURTHER, That in order to prevene unnecessary expenditures it is the intent of the legislature that the department make use of the air monitoring and surveillance capabilities of activated air pollution control authorities wherever possible:

AND PROVIDED FURTHER, That the department shall recommend to the federal Environmental Protection Agency that only up to \$700,000 of available air pollution control grant funds be given to the department for the 1973-75 fiscal biennium and that all other available grant funds be given to activated air pollution control authorities in the state.....\$ 13,573,988

NEW SECTION. Sec. 71. General Fund surplus revenues from all sources, excluding Federal Funds, for the 1973-75 biennium in excess of \$2,200,276,000, but not to exceed \$20 million, as determined by the Department of Revenue, State Treasurer and the Office of Program Planning and Fiscal Management shall be credited to the State Treasurer for deposit to a special fund for special levy relief to be distributed pursuant to a formula approved by the 1975 session of the legislature.

NEW SECTION. Sec. 72. All personal services contracts except those which the director of the Office of Program Planning and Fiscal Management may exempt after consultation with the Legislative Budget Committee shall be filed with the Office of Program Planning and Fiscal Management and the Legislative Budget Committee prior to

obligating any portion of the appropriations approved in this 1974 amendatory act.

NEW SECTION. Sec. 73. In addition to any funds contained in this 1974 amendatory act, appropriations made by the Legislature may be expended for programs set forth in chapter 137, Laws of 1973 1st ex. sess.

NEW SECTION. Sec. 74. Section 6, chapter 139, Laws of 1973 1st ex. sess. (uncodified) is hereby repealed.

NEW SECTION. Sec. 75. If any provision of this 1974 amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 76. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, strike the title and insert the following:

"AN ACT Relating to expenditures by state agencies and offices of the state; making appropriations for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; making other appropriations; designating effective dates for certain appropriations; amending section 4, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 5, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 7, chapter 131, Laws of 1973 1st ex. sess. (uncodified); amending section 112, chapter 137, Laws of 1973 1st ex. sess. (uncodified); repealing section 6, chapter 139, Laws of 1973 1st ex. sess. (uncodified); amending section 62, chapter 137, Laws of 1973 1st ex. sess.; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Bagnariol moved that the House do concur in the Senate amendments to Substitute House Bill No. 1310.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Newhouse.

Mr. Newhouse: "Representative Bagnariol, is there provision in this budget now for funding the increased cost of nursing homes due to the bill that was passed requiring them to pay minimum wage state level for their employees?"

Mr. Bagnariol: "No, I don't believe there is."

Mr. Newhouse spoke against the motion to concur.

## POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Amen.

Mr. Amen: "Since there isn't anything in this budget to provide for the minimum wage increase, is it projected that there will be something in the April budget? Also, as far as transportation for schools is concerned, what do you see in this?"

Mr. Bagnariol: "First of all the legislation dealing with raising the minimum wages in nursing homes doesn't go into effect until July 1st. I think we can handle that problem during the April session. Regarding the transportation costs, we took the position with most of the agencies, with the exception of the State Patrol, of not appropriating additional transportation money for increased costs during this session with the idea that with an index study between now and April we will know exactly where all of the problems are. At least we'll be a lot closer to what the real costs are. As you have all been reading in the press, we don't know where the price of gasoline is going to go. In April we have agreed with the Superintendent of Public Instruction that we will certainly work that problem to not only protect that department, but the local school districts, as well as other state agencies."

## POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Bauer.

Mr. Bauer: "Representative Luders, on page 14, line 22, it says 'That it is the intent of the legislature that \$11,100,000 of the funds contained in this appropriation shall be used to reduce the maintenance and operations excess levies to the extent an individual school district's revenue for 1974-75...' Does this definition imply that it's for basic school support exclusive of special levies? Was the \$11,100,000 put there to replace the leeway money that districts lost as a result of House Bill No. 186? As you know the 85% was collected at the local level. We moved that up to 90% for this year and in 1975 it will be up to 100%. The third question, on page 15, line 5, is the definition of school district revenues exclusive of special levies?"

Mr. Luders: "In answer to your first two questions, in each case it does not include special levies. In answer to the \$11,100,000, it was replacement money and was not to be used as a millage rollback."

Mr. Bauer: "I'm to understand then, that if my district ran a special levy and it was in excess of the 1973-74 level of spending per student that we will not have to roll back our special levy that we have now passed?"

Mr. Luders: "That would be correct, because it is the language in the bill, and the ambiguity in the bill, states



that it has to do with comparable districts and school district revenues which does not include special levies."

POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Matthews.

Mr. Matthews: "Representative Bagnariol, could you tell me whether there has been any kind of opinion as to whether the \$2,000,000 that has been appropriated in this revised version, is legal for that money to come out of Referendum 29 funds?"

Mr. Bagnariol: "I don't have an official Attorney General's opinion, but I was told by Mr. Morris from the Department of Social and Health Services that it is very clearly within the law."

The motion to concur in the Senate amendments to Substitute House Bill No. 1310 passed.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 1310 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1310 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 59; nays, 38; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gaspard, Goltz, Hansen, Haussler, Honan, Hurley, Jastad, Johnson, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Patterson, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gallagher, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Polk, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Substitute House Bill No. 1310 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

We voted against Substitute House Bill No. 1310 for these reasons:

1. The measure fails to add adequate funds for partial relief of special levies.

2. It fails to include adequate funds for school transportation, adversely affected by the fuel crisis.

3. It fails to include funds for increasing costs for nursing homes so they can raise the minimum wages.

4. It fails to include adequate funds for the library services needed statewide.

5. It appropriates \$2 million for improvement of Retsil and Orting Veterans' Homes from the Referendum 29 funds without full and complete recommendation from Committee, specifically named to develop criteria and priorities for the proper use of these funds, voted by the people.

6. It also fails to provide adequate funds for increased enrollments at community colleges, yet legislators insist the "open door" policy be maintained--a very difficult contradiction.

7. It also fails to provide funds for the Economic Assistance Authority which could have been used to help North Bonneville acquire property for its proposed move.

8. It failed to allocate funds for Referendum 27 projects which are ready to go to bid and which could mean getting underway this summer and could save taxpayers thousands of dollars and bring improved drinking water to many communities.

9. The budget also fails to provide funding for the Office of Community Development, which has proceeded to a point where it can now serve local government on a cooperative basis.

10. Finally, the measure includes special interest projects, such as the Minter Creek Fish Hatchery; a pilot program for migrant labor housing in Yakima; \$450,000 to administer a voluntary no-fault insurance system; \$200,000 for an Afro-American Pavilion at Expo '74 (instead of one for all minorities); snowmobile facilities at Mt. Spokane; a fresh water research laboratory at CWSC; and for damage claims on automobiles of three state senators.

HAROLD S. ZIMMERMAN, 17th District.

RICHARD N. KISHIMOTO, 49th District.

## SECOND READING

SENATE CONCURRENT RESOLUTION NO. 153, by Senators Mardesich and Bailey:

Adjourning the 3rd Extraordinary Session of the 43rd Legislature until April 15, 1974.

The resolution was read the second time.

Mr. Julin moved adoption of the following amendment:

On page 1, section 2, line 10 after "reconvene" strike the remainder of the section and insert "prior to April 15, 1974, he shall convey in writing to the Speaker of the

House of Representatives and to the President of the Senate his reasons and the time for reconvening and the President of the Senate and the Speaker of the House of Representatives shall take action to reconvene the two houses on the date so specified."

Mr. Julin spoke in favor of the amendment, and Mr. Charette spoke against it.

The amendment was lost.

Senate Concurrent Resolution No. 153 was passed to the Committee on Rules for third reading.

#### MESSAGE FROM THE SENATE

February 12, 1974

Mr. Speaker:

The Senate has receded from its amendments to SECOND SUBSTITUTE HOUSE BILL NO. 1077 to page 2, line 11; page 2, line 19; and page 3, line 2, as requested by the House, and has passed the bill with the remaining amendments, and said bill, together with the remaining Senate amendments, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Second Substitute House Bill No. 1077 as amended by the Senate.

Mrs. Wojahn spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1077 as amended by the Senate, and the House passed the bill by the following vote: Yeas, 91; nays, 6; not voting, 0.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Barnes, Hayner, Kuehne, Polk, Pullen, Tilly.

Second Substitute House Bill No. 1077 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Wednesday, February 13, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-FIRST DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wed., February 13, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Kraabel and Tilly who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Bart Huizenga of Evergreen Christian Reformed Church of Olympia.

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

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker was about to sign:

HOUSE BILL NO. 1006,  
SECOND SUBSTITUTE HOUSE BILL NO. 1077,  
HOUSE BILL NO. 1245,  
SUBSTITUTE HOUSE BILL NO. 1310,  
HOUSE BILL NO. 1334,  
HOUSE CONCURRENT RESOLUTION NO. 62.

MESSAGES FROM THE SENATE

February 12, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1328,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 12, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to SECOND REENGROSSED SENATE BILL NO. 2366, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 12, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 2701, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 12, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 149, and has passed the resolution as amended by the House.

Sidney R. Snyder, Secretary.

February 12, 1974

Mr. Speaker:

The Senate has receded from its amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 473 except those to page 21, line 21, and to page 23, section 12, line 12, and insists on its position and again asks the House to concur in these two amendments, and said bill, together with the Senate amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

Mrs. Wojahn moved that the House do concur in the Senate amendment to page 23, line 12, and do not concur in the amendment to page 21, line 21.

## POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mr. Charnley.

Mr. Charnley: "As I recall our objection to the Senate amendment on page 23, line 12, it was that it was asking for a referendum, or at least making referendum possible, but setting the date of May 20th, and we had some constitutional problems with that. Could you reflect on that?"

Mrs. Wojahn: "We had several attorneys say that it wouldn't make any difference. The very fact that there is a severability clause in this bill, if this were declared unconstitutional, would not in any way injure the bill itself. The Senate believed, and I agree, that if we are going to get this through and provide Expo '74 with some of the tools that they need to be successful, then we need to leave this in, and it could be challenged and fairly so."

Mr. Charnley: "One other question: We also had an amendment on page 22 which inserted the commissioners along with the director and the assistant director in the language. What has happened to this one?"

Mrs. Wojahn: "The Senate receded from that one."

The motion by Mrs. Wojahn to concur in one Senate amendment and ask the Senate to recede from the other to

Engrossed Substitute House Bill No. 473 was carried.  
MESSAGE FROM THE SENATE

February 12, 1974

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE HOUSE BILL NO. 748, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

REPORT OF CONFERENCE COMMITTEE

February 12, 1974

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 748, making certain changes in the laws relating to probate, have had the same under consideration, and we report that we are unable to agree and request the powers of Free Conference, in order to make the following changes:

To adopt the amendments not concurred in by the House with the following changes:

On page 1, section 1, line 6 after "after" strike "March 1, 1975" and insert "October 1, 1974"

On page 1, section 1, line 18 after "on" strike "March 1, 1975" and insert "October 1, 1974"

On page 1, section 1, line 22 after "before" strike "March 1, 1975" and insert "October 1, 1974"

On page 1, section 1, line 26 after "before" strike "March 1, 1975" and insert "October 1, 1974"

On page 2, section 1, line 2 after "before" and before "unless" on page 2, line 3 strike "March 1, 1975" and insert "October 1, 1974"

On page 11, section 13, line 13 after "estate" insert "not designated as executor in the decedent's will"

On page 14, section 17, line 21 after "amended." strike "The" and insert "Unless unrestricted nonintervention powers are directed by the will of the decedent, the"

On page 15, section 18, line 2 after "creditor" insert "not designated as executor in the decedent's will"

On page 16, section 20, line 7 after "vacated" insert "or restricted"

On page 41, section 56, line 6 after "effect" strike "March 1, 1975" and insert "October 1, 1974"

Signed by Senators Francis, Marsh and Clarke;  
Representatives Smith, Knowles and Hayner.

MOTION

On motion of Mr. Smith, the House adopted the report of the Conference Committee and granted them the powers of Free Conference.

## REPORT OF CONFERENCE COMMITTEE

February 12, 1974

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 3118, assessing penalties on drunk driving cases, have had the same under consideration, and we recommend that Engrossed Substitute Senate Bill No. 3118 do pass without the House amendments to page 1, section 1, line 16; page 1, section 1, line 21; page 2, section 1, line 7.

Signed by Senators Bottiger, Guess and Dore; Representatives Eng, Rabel and Smith.

## MOTION

Mr. Charette moved that the House adopt the report of the Conference Committee.

Mr. Rabel spoke in favor of the motion.

The motion was carried.

FINAL PASSAGE OF SENATE BILL AS AMENDED  
BY CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 3118 as amended by the Conference Committee.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3118 as amended by the Conference Committee, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, King, Knowles, Kopet, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Kilbury.

Not voting: Representatives Kishimoto, Kraabel, Leckenby, North L., Pardini, Tilly.

Engrossed Substitute Senate Bill No. 3118 as amended by the Conference Committee, having received the



constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

Please record me as voting "yea" on Engrossed Substitute Senate Bill No. 3118. I was out of the Chamber when the electric roll call vote was taken.

BILL LECKENBY, 34th District.

REPORT OF CONFERENCE COMMITTEE

February 12, 1974

Mr. Speaker:

Mr. President:

We, of your Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 3003, making general revisions to the election laws, have had the same under consideration, and we report that we are unable to agree and respectfully request the power of Free Conference in order to exempt certain counties from the mandatory provisions of section 12 as follows:

On page 9, line 18, section 12 after "county" and before the period insert ": PROVIDED, That an auditor in a county with more than 150,000 registered voters may decline to comply with the provisions of all or none of sections 1, 4, 12, 13 and 14 of this act"

Signed by Senators Grant, Washington and Newschwander; Representatives King and Gallagher.

MOTION

On motion of Mr. King, the report of the Conference Committee was adopted, and the committee was granted the powers of Free Conference.

MESSAGE FROM THE SENATE

February 13, 1974

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2004,

SENATE BILL NO. 2366,

SENATE BILL NO. 2488,

SUBSTITUTE SENATE BILL NO. 2701,

SENATE BILL NO. 3135,

SENATE BILL NO. 3209,

SENATE BILL NO. 3338,

SUB. SENATE CONCURRENT RESOLUTION NO. 149,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## SENATE AMENDMENT TO HOUSE BILL

February 12, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 138 with the following amendment:

On page 1, section 1, line 19 after ")") strike "ten" and insert "eight"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Randall, the House concurred in the Senate amendment to Engrossed House Bill No. 138.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 138 as amended by the Senate.

Representatives Kilbury and Newhouse spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 138 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 88; nays, 5; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, and Mr. Speaker.

Voting nay: Representatives Brown, Kelley, Kishimoto, Kuehnle, Zimmerman.

Not voting: Representatives Kraabel, McCormick, Tilly, Wojahn.

Engrossed House Bill No. 138 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker was about to sign:

HOUSE BILL NO. 1328,  
 SENATE BILL NO. 2004,  
 SENATE BILL NO. 2366,  
 SENATE BILL NO. 2488,  
 SUBSTITUTE SENATE BILL NO. 2701,  
 SENATE BILL NO. 3135,  
 SENATE BILL NO. 3209,  
 SENATE BILL NO. 3338,  
 SUB. SENATE CONCURRENT RESOLUTION NO. 149.

## SENATE AMENDMENT TO HOUSE BILL

February 12, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1423 with the following amendment:

On page 2, line 20, section 3 after "for the" and before "less" strike "applicable period" and insert "balance of the 1973-75 biennium"

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Perry, the House concurred in the Senate amendment to Engrossed House Bill No. 1423.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 1423 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1423 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 4.

Voting yeas: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers,

Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Charette, Kraabel, Thompson, Tilly.

Engrossed House Bill No. 1423 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

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

#### THIRD READING

SENATE CONCURRENT RESOLUTION NO. 153, by Senators Mardesich and Bailey:

Adjourning the 3rd Extraordinary Session of the 43rd Legislature until April 15, 1974.

The resolution was read the third time.

Debate ensued, Representatives Charette and Perry speaking in favor, and Representatives Curtis, Newhouse and Rabel speaking against.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Moon.

Mr. Moon: "Under the provisions of this concurrent resolution, will the members be afforded an opportunity to prefile new bills? What will the mechanics of such prefiling be?"

Mr. Charette: "There will be no new bills at all."

Mr. Moon spoke in favor of the resolution.

#### POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "Because of the points that Representative Perry brought out regarding the various issues, would it not be more logical to postpone the session until May 15th?"

Mr. Charette: "Representative Zimmerman, last April the people on our side of the aisle and the Democrats in the Senate reached an agreement with the Governor of the state. That agreement was set forth in writing and it said that when the Governor called a special session in January of 1974 we would not meet for more than 40 days, and we

would adjourn sine die on or before April 28, 1974. Being honorable people, we are living up to that agreement."

Representatives Kalich, Kilbury, Charette, Thompson and Savage spoke in favor of the resolution, and Representatives Pardini, Leckenby and Polk spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Concurrent Resolution No. 153, and the resolution passed the House by the following vote: Yeas, 55; nays, 39; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Kalich, Kelley, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Wilson, Zimmerman.

Not voting: Representatives Johnson, Kraabel, Tilly.

Senate Concurrent Resolution No. 153, having received the constitutional majority, was declared passed.

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

The Speaker called the House to order.

MESSAGES FROM THE SENATE

February 13, 1974

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 3118.

Sidney R. Snyder, Secretary.

February 13, 1974

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SECOND SUBSTITUTE HOUSE BILL NO. 383, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

February 13, 1974

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE HOUSE BILL NO. 748, and

has passed the bill as amended by the Free Conference Committee, and said bill, together with the report of the Free Conference Committee, is herewith transmitted.

Sidney R. Snyder, Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

February 12, 1974

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 748, making certain changes in the laws relating to probate, have had the same under consideration, and we recommend that the bill be passed as amended in the conference report.

Signed by Senators Francis, Marsh and Clarke; Representatives Smith, Hayner and Knowles.

MOTION

Mr. Smith moved that the rules be suspended, and the report of the Free Conference Committee be adopted.

Representatives Smith and Julin spoke in favor of the motion.

The motion to adopt the report of the Free Conference Committee was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED  
BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 748 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 748 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 94; nays 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, Zimmerman, and Mr. Speaker.

Not voting: Representatives Kraabel, Morrison, Tilly.

Substitute House Bill No. 748 as amended, by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
HOUSE BILL NO. 138,  
HOUSE BILL NO. 1423.

INTERIM COMMITTEE APPOINTMENTS

The Speaker announced that Representative Hayner had been appointed to replace Representative Eikenberry on the Judicial Council.

MESSAGE FROM THE SENATE

February 13, 1974

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SENATE BILL NO. 3003, and has granted said committee the powers of Free Conference.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. King, the House elected to suspend the rules and immediately consider the Free Conference Report on Engrossed Senate Bill No. 3003.

REPORT OF FREE CONFERENCE COMMITTEE

February 12, 1974

Mr. Speaker:

Mr. President:

We, of your Free Conference Committee, to whom was referred ENGROSSED SENATE BILL NO. 3003, making general revisions to the election laws, have had the same under consideration, and we recommend the following amendments:

On page 9, line 18, section 12, after "county" and before the period insert ": PROVIDED, That an auditor in a county with more than 150,000 registered voters may decline to comply with the provisions of all or none of sections 1, 4, 12, 13, and 14 of this act"

Signed by Senators Grant, Washington and Newschwander; Representatives King and Gallagher.

On motion of Mr. King, the House adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 3003.

FINAL PASSAGE OF SENATE BILL AS AMENDED  
BY FREE CONFERENCE COMMITTEE

The Speaker stated the question before the House to be the final passage of Engrossed Senate Bill No. 3003 as amended by the Free Conference Committee.

ROLL CALL

The Clerk called the roll on Engrossed Senate Bill No. 3003 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 72; nays, 20; not voting, 5.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehne, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Paris, Parker, Perry, Rabel, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Cunningham, Flanagan, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Julin, Matthews, Nelson, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Wilson.

Not voting: Representatives Blair, Curtis, Kraabel, Leckenby, Tilly.

Engrossed Senate Bill No. 3003 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

On final passage of Engrossed Senate Bill No. 3003 I was recorded as voting "Aye," but my vote should have been recorded as "Nay." I had requested Representative Julin, who sits in the adjoining desk, to push the switch which cast my vote, and through a brief moment of confusion the switch was in the wrong position at the time the voting machine was locked. Again, this entry in the Journal is to record my opposition to Senate Bill No. 3003.

KENNETH O. EIKENBERRY, 36th District.

NOTICE OF AMENDMENT TO HOUSE RULES

Mr. Charette served notice that he would, on the next working day, submit an amendment to the House Rules.



MESSAGE FROM THE SENATE

February 13, 1974

Mr. Speaker:

The Senate has receded from its amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 473 to page 21, line 21, and has passed the bill without that amendment, and said bill, together with the amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 473 as amended by the Senate, and without the amendment to page 21, line 21.

Representatives Wojahn and Kuehnle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 473 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 70; nays, 21; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bausch, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Clemente, Conner, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kelley, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Parker, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bluechel, Charnley, Cunningham, Douthwaite, Ekenberry, Freeman, Gilleland, Goltz, Hayner, Julin, Kishimoto, Leckenby, Matthews, North L., Paris, Patterson, Polk, Pullen, Rabel, Williams, Zimmerman.

Not voting: Representatives Bauer, Blair, Chatalas, Kraabel, Pardini, Tilly.

Engrossed Substitute House Bill No. 473 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Thompson, the House recessed until 2:00 p.m.

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AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker (Mr. Kilbury presiding). The Clerk called the roll and all members were present except Representatives Kraabel, North (Lois) and Tilly who were excused.

Mr. O'Brien assumed the Chair.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) stated that the Speaker was about to sign:

SUBSTITUTE HOUSE BILL NO. 748.

MESSAGE FROM THE SENATE

February 13, 1974

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SECOND SUBSTITUTE HOUSE BILL NO. 383, and has passed the bill as amended by the Free Conference Committee, and said bill, together with the report of the Free Conference Committee, is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Haussler, the rules were suspended, and the Report of the Free Conference Committee was put before the House for immediate consideration.

REPORT OF FREE CONFERENCE COMMITTEE

February 12, 1974

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SECOND SUBSTITUTE HOUSE BILL NO. 383, providing standards for approval of plats and subdivisions, have had the same under consideration, and we recommend that SECOND SUBSTITUTE HOUSE BILL NO. 383 be amended to read as follows and that the amended bill do pass:

On page 2, section 2, beginning on line 6 strike ") none of which are smaller than one-one hundred twenty-eighth of a section of land, or smaller than five acres" and insert "none) each of which is ((are smaller than) one-one hundred twenty-eighth of a section of land or larger, or five acres or larger"

On page 2, section 2, strike lines 21 through 28 and insert:

"(4) Divisions made by court order: PROVIDED, That this exemption shall not apply to land divided pursuant to dissolution or partition proceedings of a corporation, partnership, limited partnership, joint venture, or trust, unless the local government wherein the land is located is made a party to the proceedings and has rendered its advice to the court in respect of the division proposed to be included within such order:"

On page 4, section 5, lines 32 and 33 strike "or fees paid in lieu thereof"

On page 4, section 5, line 18 strike "environmental corridors," and on lines 24 and 25 strike "environmental corridors"

On page 6, section 9 beginning with "In" on line 29 strike all matter down to and including "resolution" on page 7, line 4 and insert:

"In addition, when a parcel of land is divided into five or more lots without having a final plat of such subdivision filed for record, an action may be initiated on behalf of any city, town or county to recover the damages, occasioned by failure to comply with all the provisions of this chapter, to the city, town or county, or to any innocent purchaser for value without actual notice that the parcel of land is divided without compliance with all the provisions of this chapter. Any damages recovered and collected for such an innocent purchaser under this section shall be paid to the innocent purchaser by the city, town or county"

On page 7, section 10, lines 15 and 16 strike "((The prohibition contained in this section shall not apply to an innocent purchaser for value without actual notice.))" and insert "The prohibition contained in this section shall not apply to an innocent purchaser for value without actual notice."

Signed by Senators Fleming, Murray and Woody; Representatives Adams, Haussler and Kuehne.

#### MOTION

Mr. Haussler moved that the report of the Free Conference Committee be adopted.

Mr. Haussler spoke in favor of the motion.

#### POINT OF INQUIRY

Mr. Bluechel yielded to question by Mr. Zimmerman.

Mr. Zimmerman: "On the second amendment, Representative Bluechel, under this exemption it seems to turn the entire meaning that we had in the original bill around. I am concerned that we really are completely changing the meaning under that second amendment. Could you explain that?"

Mr. Bluechel: "Representative Zimmerman, you are right in the question. The second amendment is weaker than the original language in the bill. The problem now is what criteria do local governments have to base advice on. What

we are doing is making an amendment to an entire section of the subdivision bill, and this does not in any way weaken the original bill. I would have preferred the other language, but in lieu of the other language, my personal opinion in having researched this, is that this bill is better than the existing bill over all."

Mr. Zimmerman spoke against adopting the report of the Free Conference Committee.

The report was adopted.

FINAL PASSAGE OF HOUSE BILL AS AMENDED  
BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Second Substitute House Bill No. 383 as amended by the Free Conference Committee.

Mr. Kuehnle spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 383 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 80; nays, 12; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurlley, Johnson, Juelling, Kalich, Kelley, Kilbury, King, Kishimoto, Knowles, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Paris, Patterson, Perry, Pullen, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Charnley, Goltz, Hoggins, Julin, Kopet, Kuehnle, Leckenby, North L., Pardini, Polk, Rabel, Zimmerman.

Not voting: Representatives Jastad, Kraabel, Parker, Schumaker, Tilly.

Second Substitute House Bill No. 383 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE SENATE

February 13, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 2416, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

February 13, 1974

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1066,  
SECOND SUBSTITUTE HOUSE BILL NO. 1077,  
HOUSE BILL NO. 1245,  
SUBSTITUTE HOUSE BILL NO. 1310,  
HOUSE BILL NO. 1328,  
HOUSE BILL NO. 1334,  
HOUSE CONCURRENT RESOLUTION NO. 62,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

MESSAGES FROM THE SENATE

February 13, 1974

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3118,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 13, 1974

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 138,  
HOUSE BILL NO. 1423,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 153,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

February 13, 1974

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SENATE BILL NO. 3003, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker was about to sign:

SECOND SUBSTITUTE HOUSE BILL NO. 383,  
SUBSTITUTE SENATE BILL NO. 3118,  
SENATE CONCURRENT RESOLUTION NO. 153.

## MOTION

Mrs. Hurley moved that the Committee on Parks and Recreation be relieved of Senate Concurrent Resolution No. 144, and the resolution be placed on the second reading calendar for immediate consideration.

Representatives Hurley, Berentson and Martinis spoke in favor of the motion.

The motion was carried.

SENATE CONCURRENT RESOLUTION NO. 144, by Senators Mardesich, Woody and Atwood:

Establishing a select committee to study Point Roberts.

The resolution was read the second time.

On motion of Mrs. Hurley, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 144 was placed on final passage.

Mrs. Hurley spoke in favor of the resolution.

Senate Concurrent Resolution No. 144 was adopted.

## POINT OF PERSONAL PRIVILEGE

Mr. Conner: "I wonder if I might ask Mrs. Wojahn a question?"

Mrs. Wojahn yielded to question.

Mr. Conner: "Representative Wojahn, in Engrossed Substitute House Bill No. 473, on page 19, section 6, there is language there presently that provides certain local governments may prohibit, but not regulate, gambling activities licensed by the State Gambling Commission. There is a portion of this section which doesn't seem to make sense and that portion appears on lines 19 to 21. It provides that local government '...may absolutely prohibit, but may not change the scope of license, any or all of the gambling activities...' Could you tell me what that means?"

Mrs. Wojahn: "Yes, Representative Conner, there is a typographical error here and a word was inadvertently omitted in the several engrossings of this bill, because it is Engrossed Substitute House Bill No. 473 and in the engrossing process the word 'or' was omitted. It should be

on line 20 after 'on' and before 'license' so that it should read 'of or license.' In other words, what this states is that a local jurisdiction may not license, they can only approve. The word 'or' is very important, because the state has the right to do this licensing, not local jurisdictions."

MOTION

Mr. Julin moved that the House revert to the third order of business.

Mr. Charette spoke against the motion.

POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Charette, while there may not be any official message from the Governor, and I am not willing to concede that point yet, I understand there has been an official reply from the Speaker's office. As a matter of fact, as the Governor was walking into the Speaker's office, I saw an envelope handed to him and overheard someone say 'Here is a reply.' Are you in a position to tell me what that reply was?"

Mr. Charette: "In the matter that was passed out to you, it is on your desk, is the letter from the Governor and the reply from the Speaker. The person that handed the Governor that letter was Representative Charette. It was in a sealed envelope and I believe he was just acting as a messenger. The Governor didn't read it at that time; I assume he has read it by now."

Mr. Eikenberry spoke in favor of the motion to revert to the third order of business.

Mr. Charette spoke against the motion.

PARLIAMENTARY INQUIRY

Mr. Berentson: "Would you comment on Rule 43 where it states 'Messages from the governor or senate or any communication from any state officer may be read in at any time?'"

RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "We don't have a message from the Governor on the desk."

The motion to revert to the third order of business was lost on a rising vote.

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

The Speaker called the House to order.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
SUBSTITUTE HOUSE BILL NO. 473.

## MESSAGES FROM THE SENATE

February 13, 1974

Mr. Speaker:

The President has signed:  
SUBSTITUTE HOUSE BILL NO. 473,  
and the same is herewith transmitted.  
Sidney R. Snyder, Secretary.

February 13, 1974

Mr. Speaker:

The President has signed:  
SUBSTITUTE HOUSE BILL NO. 748,  
and the same is herewith transmitted.  
Sidney R. Snyder, Secretary.

February 13, 1974

Mr. Speaker:

The President has signed:  
SECOND SUBSTITUTE HOUSE BILL NO. 383,  
and the same is herewith transmitted.  
Sidney R. Snyder, Secretary.

February 13, 1974

Mr. Speaker:

The President has signed:  
SENATE BILL NO. 2416,  
SENATE BILL NO. 3003,  
and the same are herewith transmitted.  
Sidney R. Snyder, Secretary.

February 13, 1974

Mr. Speaker:

The President has signed:  
SENATE CONCURRENT RESOLUTION NO. 144,  
and the same is herewith transmitted.  
Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
SENATE BILL NO. 2416,  
SENATE BILL NO. 3003,  
SENATE CONCURRENT RESOLUTION NO. 144.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Eikenberry: "I have been advised by Mr. Moos, the liaison from the Governor's office, that he has delivered to the rostrum a letter directed to the House of Representatives, and my inquiry is the point in the proceedings at which that message will be considered."



REPLY BY THE SPEAKER

The Speaker: "I think the next motion will probably answer that. It will probably be April 15th."

MOTION

On motion of Mr. Charette, the House, in accordance with Senate Concurrent Resolution No. 153, adjourned ad interim until April 15, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Wash., Monday, April 15, 1974.

The House was called to order at 9:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representative Anderson who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Father Louis Gaffney, President of Seattle University.

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

## MESSAGE FROM THE SECRETARY OF THE STATE

April 15, 1974

TO THE HONORABLE,  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
THE LEGISLATURE OF THE STATE OF WASHINGTON,  
OLYMPIA, WASHINGTON  
MR. SPEAKER:

I, A. LUDLOW KRAMER, Secretary of State of the State of Washington, do hereby certify that according to the records on file in my office JOHN R. HAWKINS has been appointed, by joint action of the Boards of County Commissioners of Pierce and Kitsap Counties, to fill the vacancy in the position of State Representative, 26th Legislative District, for the remainder of the unexpired term.

IN TESTIMONY WHEREOF, I have set my hand and affixed hereto the Seal of the State of Washington. Done at the Capitol at Olympia on this date, April 15, 1974.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER  
Secretary of State.

April 15, 1974

TO THE HONORABLE,  
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES,  
THE LEGISLATURE OF THE STATE OF WASHINGTON,  
OLYMPIA, WASHINGTON  
MR. SPEAKER:

I, A. LUDLOW KRAMER, Secretary of State of the State of Washington, do hereby certify that according to the records on file in my office SHIRLEY WINSLEY has been appointed, by action of the Board of County Commissioners of Pierce County, to fill the vacancy in the position of State Representative, 28th Legislative District, for the remainder of the unexpired term.

IN TESTIMONY WHEREOF, I have set my hand and affixed hereto the Seal of the State of Washington. Done at the Capitol at Olympia on this date, April 15, 1974.

(SEAL OF THE STATE OF WASHINGTON)

A. LUDLOW KRAMER  
Secretary of State.

The Speaker appointed Representatives Charette, Warnke and Hayner to escort Justice Charles Stafford to the rostrum.

The Speaker appointed Representatives Honan, Ehlers and Adams to escort Representative-designee Hawkins to the rostrum.

The Speaker appointed Representatives Juelling, Valle and Wojahn to escort Representative-designee Winsley to the rostrum.

Justice Stafford administered the oath of office to Representatives Hawkins and Winsley.

The Speaker requested the special escort committee to escort Justice Charles Stafford from the House Chamber.

The Speaker requested the special escort committees to escort Representatives Hawkins and Winsley from the rostrum to seats within the Chamber.

#### STANDING COMMITTEE APPOINTMENTS

The Speaker appointed Representative Hawkins to the Committees on Constitution and Elections, Ecology and Labor.

The Speaker appointed Representative Winsley to the Committees on Judiciary, Financial Institutions and Social and Health Services.

The Speaker appointed Representative Smith as Vice Chairman of the Committee on Judiciary, and Representative Valle as Vice Chairwoman of the Committee on Ecology.

#### MESSAGE FROM THE SENATE

February 7, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 393 with the following amendments:

On line 5 of the title strike the period and insert "; and amending section 9, chapter 172, Laws of 1923 as last amended by section 4, chapter 19, Laws of 1941 and RCW 31.04.100."

On page 2, section 2, line 17 after "less" and before the semicolon insert "for contracts which provide for a repayment period not exceeding 24 months and 15 days, and at a rate of nine percent per annum, or less for contracts for a repayment period exceeding 24 months and 15 days"

On page 3, section 2, line 29 after "banks." add a new section as follows:

"Sec. 3. Section 9, chapter 172, Laws of 1923, as last amended by section 4, chapter 19, Laws of 1941 and RCW 31.04.100 are each amended to read as follows:

No corporation under the provisions of this chapter shall:

(1) Make any loan, on the security of makers, comakers, endorsers, sureties or guarantors, (for a longer period than two years from the date thereof) which provides for a repayment period exceeding 36 months and 15 days.

(2) Hold at any one time the primary obligation, or obligations of any person, firm or corporation, for more than two percent of the amount of the paid-up capital and surplus of such industrial loan company.

(3) Hold at any one time the obligation or obligations of persons, firms, or corporations purchased from any person, firm or corporation in excess of twenty percent of the aggregate paid-up capital and surplus of such industrial loan company.

(4) Make any loans secured by chattel mortgage (for a longer period than two years from the date thereof) which provides for a repayment period exceeding 36 months and 15 days.

(5) Make any loan or discount on the security of its own capital stock, or be the purchaser or holder of any such shares, unless such security or purchase shall be necessary to prevent loss upon a debt previously contracted in good faith. Stock so purchased or acquired shall be sold at public or private sale or otherwise disposed of within ninety days from the time of its purchase or acquisition.

(6) Invest any of its funds, otherwise than as herein authorized except in such investments as are by law legal investments for commercial banks.

(7) Make any loan or discount, nor shall any officer or employer thereof on behalf of such corporation, make any loan or discount directly or indirectly to any director, officer or employee of such corporation.

(8) Have outstanding at any time its promissory notes or other evidences of debt in an aggregate sum in excess of three times the aggregate amount of its paid-up capital and surplus, exclusive of investment certificates hypothecated with the corporation issuing them.

(9) Exact a surrender charge on investment certificates issued by the corporation.

(10) Deposit any of its funds with any other moneyed corporation, unless such corporation has been designated as such depository by a vote of the majority of the directors or the executive committee, exclusive of any director who is an officer, director or trustee of the depository so designated.

(11) Make any loan or discount secured by real estate for an amount in excess of seventy-five percent of the value of such real estate and improvements, including all prior liens against the same.

(12) Have outstanding at any time investment certificates issued in the name of any one person, firm or

corporation for an amount in excess of two and one-half percent of its paid-up capital and surplus.

(13) Pledge or hypothecate any of its securities to any creditor except that it may borrow and rediscount an amount not to exceed in the aggregate three times the amount of the paid-up capital and surplus thereof, and may pledge as security for amounts borrowed assets of the corporation not exceeding one and one-half times the amount borrowed and may pledge as security for amounts rediscounted assets of the corporation not exceeding one-half the amount rediscounted."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### POINT OF ORDER

Mr. Thompson: "Mr. Speaker, may I have your ruling on the scope and object of the Senate amendments on this measure?"

#### SPEAKER'S RULING

The Speaker: "The Speaker finds that the Senate amendments to House Bill No. 393 do exceed the scope and object and therefore, pursuant to Rule 31, will refer the bill to the Committee on Financial Institutions."

#### REPORTS OF STANDING COMMITTEES

April 5, 1974  
HOUSE BILL NO. 184, Prime sponsor: Representative Tilly, expanding the definition of first class public utility districts, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, following section 3, add a new section as follows:

"NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 4 of the title after "54.40.030" insert "; and declaring an emergency"

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Adams, Blair, Honan, Kuehnle, Martinis, McCormick, North (Frances), Paris, Patterson, Sommers, Zimmerman.

April 5, 1974

HOUSE BILL NO. 322, Prime sponsor: Representative Kilbury, relating to agriculture, reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Laughlin, Vice Chairman; Amen, Benitz, Hansey, Haussler, Tilly.

April 5, 1974

HOUSE BILL NO. 1043, Prime sponsor: Representative Kilbury, providing for a domestic animal diagnostic laboratory, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Benitz, Brown, Eikenberry, Goltz, Hurley, Kilbury, King, Kuehnle.

March 8, 1974

HOUSE BILL NO. 1177, Prime sponsor: Representative Charette, establishing qualifications for persons assessing personal property, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 6 after "responsibility of" strike "assessing" and insert "valuing"

On page 1, line 18 after "subsection" strike "(1) (a) and (1) (b)" and insert "(1) (b) (1) (c) "

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bluechel, Brown, Eikenberry, Erickson, Flanagan, Goltz, Hurley, Kilbury.

March 5, 1974

HOUSE BILL NO. 1224, Prime sponsor: Representative Randall, relating to revenue and taxation, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 6, beginning on line 17 strike all of section 7 Renumber the remaining sections consecutively

On page 1, line 12 of the title beginning with "amending" strike all material down to and including "73.08.080;" on line 14

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Bluechel, Brown, Eikenberry, Erickson, Kilbury, King, Williams.

April 5, 1974

HOUSE BILL NO. 1288, Prime sponsor: Representative Randall, changing the interest rate on delinquent property

taxes to eight percent, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Benitz, Bluechel, Erickson, Flanagan, Goltz, Hurley, Kilbury, King, Williams.

April 5, 1974

HOUSE BILL NO. 1526, Prime sponsor: Representative Matthews, providing a lien for services by ambulance companies, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Fortson, Freeman, Hendricks, Honan, Jastad, Matthews, May, Paris, Savage, Tilly, Wojahn.

April 5, 1974

HOUSE BILL NO. 1542, Prime sponsor: Representative Hendricks, making prescription drugs available at competitive prices, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 5, line 5 after "ingredients" and before the period insert "if the cost savings are passed on to the consumer"

Signed by Representatives Adams, Chairman; Cunningham, Ellis, Eng, Fortson, Freeman, Hendricks, Honan, May, Paris, Savage.

#### MOTION

Mr. Thompson moved that the bills listed on today's fifth order of business be referred to the Committee on Rules for second reading, with the exception of HOUSE BILL NO. 1542, to be rereferred to the Committee on Ways and Means - Appropriations.

#### PARLIAMENTARY INQUIRY

Mr. Newhouse: "Mr. Speaker, I note that several of the bills that are being referred have no short titles--they were title only bills. Would it be possible for the Chief Clerk to assign them a short title so that we know which bills we are talking about?"

#### SPEAKER'S REPLY

The Speaker: "Representative Newhouse, this is something that we haven't done in the past, but something

that I think the Rules Committee should look into and maybe it could be a procedure that we could set forth in the future."

The motion by Mr. Thompson was carried.

#### MOTIONS

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

On motion of Mr. Thompson, SUBSTITUTE SENATE BILL NO. 3312 was rereferred from the Committee on Rules to the Committee on Judiciary.

On motion of Mr. Thompson, HOUSE BILL NO. 1274 was rereferred from the Committee on Rules to the Committee on Ways and Means - Appropriations.

On motion of Mr. THOMPSON, HOUSE BILL NO. 1252 was rereferred from the Committee on Judiciary to the Committee on Commerce.

On motion of Mr. Thompson, HOUSE BILL NO. 1412 was rereferred from the Committee on Ways and Means - Appropriations to the Committee on State Government.

#### MOTION

On motion of Mr. Charette the House recessed until 1:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 1:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Anderson, Barnes, Douthwaite, Erickson, Hoggins, Hurley, Julin, Kraabel, Lysen, Moon, Nelson, Polk, Smith, Sommers, Van Dyk and Winsley. Representatives Anderson, Lysen, Moon, Nelson, Polk, Smith, Sommers, Van Dyk and Winsley were excused.

#### MOTION

On motion of Mr. Thompson, the House recessed until 2:30 p.m.



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SECOND AFTERNOON SESSION  
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The House was called to order at 2:30 p.m. by the Speaker. The Clerk called the roll and all members were present, except Representatives Anderson, Ceccarelli and Hoggins. Representative Anderson was excused.

## MOTION

On motion of Mr. Charette, the House advanced to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

April 15, 1974  
SUBSTITUTE SENATE BILL NO. 3256, Prime sponsor: Senator Donohue, reducing the appropriation for salaries and expenses of the Senate, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, section 1, line 10 strike "5,589,727" and insert "5,489,727"

On page 1, section 1, line 13 strike "7,058,989" and insert "((7,058,989)) 6,408,989"

Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Bausch, Blair, Charette, Chatalas, Curtis, Ehlers, Hansey, Juelling, Kopet, Luders, Morrison, North (Lois), Polk, Valle, Van Dyk, Warnke, Zimmerman.

## MOTION

On motion of Mr. Charette, the rules were suspended, and Substitute Senate Bill No. 3256 was placed on the second reading calendar.

## SECOND READING

HOUSE BILL NO. 29, by Representatives Gallagher and Conner:

Providing for a state lottery.

The bill was read the second time.

## MOTION

Mrs. Wojahn moved that Substitute House Bill No. 29 be substituted for House Bill No. 29, and that the substitute bill be placed on the calendar for second reading.

## PARLIAMENTARY INQUIRY

Mr. Pardini: "Is this a committee recommendation that the substitute bill be submitted, or is this an amendment by Representative Wojahn?"

## SPEAKER'S REPLY

The Speaker: "It came out of committee with the recommendation that it be substituted."

## PARLIAMENTARY INQUIRY

Mr. Newhouse: "I have a similar concern. As I recall the bill was in the Rules Committee and we did not have any information of a substitute bill. All we had was an amendment by Mr. Gallagher. I have prepared an amendment to Mr. Gallagher's amendment. Is the Gallagher amendment now the substitute bill?"

## SPEAKER'S REPLY

The Speaker: "No, the Gallagher amendment will be placed at the proper time. It is directed to the substitute bill."

The motion by Mrs. Wojahn to place Substitute House Bill No. 29 on the second reading calendar was carried.

Substitute House Bill No. 29 was read the second time.

Mr. Gallagher moved adoption of the following amendment to Substitute House Bill No. 29:

On page 1, strike everything after the enacting clause and insert the following:

**"NEW SECTION.** Section 1. For the purposes of this chapter:

(1) 'Commission' shall mean the state gambling commission established by RCW 9.46.040.

(2) 'Lottery' or 'state lottery' shall mean the lottery established and operated pursuant to this chapter.

(3) 'Director' shall mean the director of the state lottery.

**NEW SECTION.** Sec. 2. The department of motor vehicles shall provide such office, administrative, and legal services as are required by the commission and the director of the state lottery to carry out the provisions of this chapter. However, the costs of such services shall be paid for by the director of the state lottery from moneys placed within the revolving fund created by section 20 of this 1974 amendatory act.

Any vacancy occurring in the office of the director of the state lottery shall be filled in the same manner as the original appointment.

The director of the state lottery shall be appointed by the commission and shall devote his entire time and attention to the duties of his office and shall not be engaged in any other profession or occupation. He shall receive such salary as shall be determined by the

commission and the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to his employment.

NEW SECTION. Sec. 3. In addition to the powers and duties enumerated in RCW 9.46.070 as now or hereafter amended, the commission shall have the power, and it shall be its duty:

(1) To promulgate such rules and regulations governing the establishment and operation of a state lottery as it deems necessary and desirable in order that such a lottery be initiated at the earliest feasible and practicable time, and in order that such lottery produce the maximum amount of net revenues for the state consonant with the dignity of the state and the general welfare of the people. Such rules and regulations may include, but shall not be limited to, the following:

- (a) The type of lottery to be conducted;
- (b) The price, or prices, of tickets or shares in the lottery;
- (c) The numbers and sizes of the prizes on the winning tickets or shares;
- (d) The manner of selecting the winning tickets or shares;
- (e) The manner and time of payment of prizes to the holders of winning tickets or shares which, at the commission's option, may be paid in lump sum amounts or installments over a period of years;
- (f) The frequency of the drawings or selections of winning tickets or shares, without limitation;
- (g) Without limit as to number, the type or types of locations at which tickets or shares may be sold;
- (h) The method to be used in selling tickets or shares;
- (i) The licensing of agents to sell tickets or shares, except that no person under the age of eighteen shall be licensed as an agent;
- (j) The manner and amount of compensation, if any, to be paid licensed sales agents necessary to provide for the adequate availability of tickets or shares to prospective buyers and for the convenience of the public;

(k) The apportionment of the total revenues accruing from the sale of lottery tickets or shares and from all other sources among (i) the payment of prizes to the holders of winning tickets or shares shall not be less than forty-five percent of the gross income from such lottery, (ii) the payment of costs incurred in the operation and administration of the lottery, including the expenses of the lottery and the costs resulting from any contract or contracts entered into for promotional, advertising, or operational services or for the purchase or lease of lottery equipment and materials, but the payment of such costs shall not exceed fifteen percent of the gross income from such lottery (iii) for the repayment of the moneys appropriated to the state lottery fund pursuant to section 24 of this 1974 amendatory act, and (iv) for transfer to the general fund: PROVIDED, That no less than forty percent of the total revenues accruing from the sale of lottery tickets or shares shall be transferred to the state general fund;

(1) Such other matters necessary or desirable for the efficient and economical operation and administration of the lottery and for the convenience of the purchasers of tickets or shares and the holders of winning tickets or shares.

(2) To amend, repeal, or supplement any such rules and regulations from time to time as it deems necessary or desirable.

(3) To advise and make recommendations to the director of the state lottery regarding the operation and administration of the lottery.

(4) To publish monthly reports showing the total lottery revenues, prize disbursements, and other expenses for the preceding month, and to make an annual report, which shall include a full and complete statement of lottery revenues, prize disbursements, and other expenses, to the governor and the legislature, and including such recommendations for changes in this chapter as it deems necessary or desirable.

(5) To report immediately to the governor and the legislature any matters which shall require immediate changes in the laws of this state in order to prevent abuses and evasions of this chapter or rules and regulations promulgated thereunder or to rectify undesirable conditions in connection with the administration or operation of the lottery.

(6) To carry on a continuous study and investigation of the lottery throughout the state (a) for the purpose of ascertaining any defects in this chapter or in the rules and regulations issued thereunder by reason whereof any abuses in the administration and operation of the lottery or any evasion of this chapter or the rules and regulations may arise or be practiced, (b) for the purpose of formulating recommendations for changes in this chapter and the rules and regulations promulgated thereunder to prevent such abuses and evasions, (c) to guard against the use of this chapter and the rules and regulations issued thereunder as a cloak for the carrying on of professional gambling and crime, and (d) to insure that said law and rules and regulations shall be in such form and be so administered as to serve the true purposes of this chapter.

(7) To make a continuous study and investigation of (a) the operation and the administration of similar laws which may be in effect in other states or countries, (b) any literature on the subject which from time to time may be published or available, (c) any federal laws which may affect the operation of the lottery, and (d) the reaction of the citizens of this state to existing and potential features of the lottery with a view to recommending or effecting changes that will tend to serve the purposes of this chapter.

**NEW SECTION.** Sec. 4. The director of the state lottery shall have the power, and it shall be his duty to:

(1) Supervise and administer the operation of the lottery in accordance with the provisions of this chapter and with the rules and regulations of the commission;

(2) Subject to the approval of the commission, appoint such deputy directors as may be required to carry out the functions and duties of his office: PROVIDED, That the

provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such deputy directors;

(3) Subject to the approval of the commission, appoint such professional, technical, and clerical assistants and employees as may be necessary to perform the duties imposed upon the director of the state lottery by this chapter: PROVIDED, That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such employees as are engaged in undercover investigative work but shall apply to other employees appointed by the director, except as provided for in subsection (2) of this section.

(4) In accordance with the provisions of this chapter and the rules and regulations of the commission, to license as agents to sell lottery tickets such persons as in his opinion will best serve the public convenience and promote the sale of tickets or shares. The director of the state lottery may require a bond from every licensed agent, in such amount as provided in the rules and regulations of the commission. Every licensed agent shall prominently display his license, or a copy thereof, as provided in the rules and regulations of the commission;

(5) Shall confer regularly as necessary or desirable and not less than once every month with the commission on the operation and administration of the lottery; shall make available for inspection by the commission, upon request, all books, records, files, and other information and documents of the lottery; shall advise the commission and recommend such matters as he deems necessary and advisable to improve the operation and administration of the lottery;

(6) Subject to the approval of the commission and the applicable laws relating to public contracts, to enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery. No contract awarded or entered into by the director of the state lottery may be assigned by the holder thereof except by specific approval of the commission: PROVIDED, That nothing in this chapter shall authorize the commission to enter into public contracts for the regular and permanent operation of the lottery after the initial development and implementation. Public contracts authorized under this chapter are to be performed for a flat fee and not on a percentage of the lottery receipts; and

(7) To certify monthly to the state treasurer and the commission a full and complete statement of lottery revenues, prize disbursements, and other expenses for the preceding month.

NEW SECTION. Sec. 5. For the purpose of obtaining information concerning any matter relating to the administration or enforcement of this chapter, the commission, or any person appointed by it in writing for the purpose may conduct hearings, administer oaths, take depositions, compel the attendance of witnesses and issue subpoenas pursuant to RCW 34.04.105.

NEW SECTION. Sec. 6. No license as an agent to sell lottery tickets or shares shall be issued to any person to engage in business exclusively as a lottery sales agent. Before issuing such license the director of the state lottery shall consider such factors as (1) the financial

responsibility and security of the person and his business or activity, (2) the accessibility of his place of business or activity to the public, (3) the sufficiency of existing licenses to serve the public convenience, and (4) the volume of expected sales.

For the purposes of this section, the term "person" shall be construed to mean and include an individual, association, corporation, club, trust, estate, society, company, joint stock company, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals. "Person" shall not be construed to mean or include any department, commission, agency, or instrumentality of the state, or any county and municipality or any agency or instrumentality thereof.

NEW SECTION. Sec. 7. Notwithstanding any other provision of law, any person licensed as provided in this chapter is hereby authorized and empowered to act as a lottery sales agent.

NEW SECTION. Sec. 8. The director of the state lottery may suspend or revoke, after notice and hearing, any license issued pursuant to this chapter. Such license may, however, be temporarily suspended by the director of the state lottery without prior notice, pending any prosecution, investigation, or hearing. A license may be suspended or revoked by the director for one or more of the following reasons:

(1) Failure to account for lottery tickets received or the proceeds of the sale of lottery tickets or to file a bond if required by the director of the state lottery or to comply with the instructions of the director concerning the licensed activity;

(2) Conviction of any crime as defined by RCW 9.01.020;

(3) Failure to file any return or report or to keep records or to pay any tax required by this chapter;

(4) Fraud, deceit, misrepresentation, or conduct prejudicial to public confidence in the state lottery;

(5) That the number of lottery tickets sold by the lottery sales agent is insufficient to meet administrative costs and that public convenience is adequately served by other licensees;

(6) A material change, since issuance of the license with respect to any matters required to be considered by the director under section 6 of this 1974 amendatory act.

NEW SECTION. Sec. 9. No right of any person to a prize drawn shall be assignable, except that payment of any prize drawn may be paid to the estate of a deceased prize winner, and except that any person pursuant to an appropriate judicial order may be paid the prize to which the winner is entitled. The director shall be discharged of all further liability upon payment of a prize pursuant to this section.

NEW SECTION. Sec. 10. No person shall sell a ticket or share at a price greater than that fixed by rule or regulation of the commission. No person other than a licensed lottery sales agent shall sell lottery tickets, except that nothing in this section shall be construed to

prevent any person from giving lottery tickets or shares to another as a gift.

Any person convicted of violating this section shall be guilty of a misdemeanor.

NEW SECTION. Sec. 11. No ticket or share shall be sold to any person under the age of eighteen, but this shall not be deemed to prohibit the purchase of a ticket or share for the purpose of making a gift by a person eighteen years of age or older to a person less than that age. Any licensee who knowingly sells or offers to sell a lottery ticket or share to any person under the age of eighteen, and is convicted of such, shall be guilty of a misdemeanor.

NEW SECTION. Sec. 12. No ticket or share shall be purchased by, and no prize shall be paid to any of the following persons: Any officer or employee of the lottery or to any spouse, child, brother, sister, or parent residing as a member of the same household in the principal place of abode of any officer or employee of the lottery.

NEW SECTION. Sec. 13. Unclaimed prize money for the prize on a winning ticket or share shall be retained in the state lottery fund by the director of the state lottery for the person entitled thereto for one year after the drawing in which the prize was won. If no claim is made for said money within such year, the prize money shall then be transferred to the state general fund and all rights to the prize existing prior to such transfer shall be extinguished as of the day of the transfer.

NEW SECTION. Sec. 14. The director of the state lottery may, in his discretion, require any or all lottery sales agents to deposit to the credit of the state lottery fund in banks designated by the state treasurer, all moneys received by such agents from the sale of lottery tickets or shares, less the amount, if any, retained as compensation for the sale of the tickets or shares, and to file with the director of the state lottery or his designated agents reports of their receipts and transactions in the sale of lottery tickets in such form and containing such information as he may require. The director of the state lottery may make such arrangements for any person, including a bank, to perform such functions, activities, or services in connection with the operation of the lottery as he may deem advisable pursuant to this chapter and the rules and regulations of the commission, and such functions, activities, or services shall constitute lawful functions, activities, and services of such person.

NEW SECTION. Sec. 15. No other law providing any penalty or disability for the sale of lottery tickets or any acts done in connection with a lottery shall apply to the sale of tickets or shares performed pursuant to this chapter.

NEW SECTION. Sec. 16. If the person entitled to a prize or any winning ticket is under the age of eighteen years, and such prize is less than five thousand dollars, the director of the state lottery may direct payment of the prize by delivery to an adult member of the minor's family or a guardian of the minor of a check or draft payable to the order of such minor. If the person entitled to a prize or any winning ticket is under the age of eighteen years, and such prize is five thousand dollars or more, the

director of the state lottery may direct payment to such minor by depositing the amount of the prize in any bank to the credit of an adult member of the minor's family or a guardian of the minor as custodian for such minor. The person so named as custodian shall have the same duties and powers as a person designated as a custodian in a manner prescribed by the Washington Uniform Gifts to Minors Act, chapter 21.24 RCW, and for the purposes of this section the terms "adult member of a minor's family", "guardian of a minor" and "bank" shall have the same meaning as in said act. The director of the state lottery shall be discharged of all further liability upon payment of a prize to a minor pursuant to this section.

NEW SECTION. Sec. 17. There is hereby created and established a separate fund, to be known as the state lottery fund. Such fund shall be maintained and controlled by the commission and shall consist of all revenues received from the sale of lottery tickets or shares, and all other moneys credited or transferred thereto from any other fund or source pursuant to law.

NEW SECTION. Sec. 18. The moneys in said state lottery fund shall be used only: (1) For the payment of prizes to the holders of winning lottery tickets or shares; (2) for purposes of making deposits into the reserve account created by section 19 of this 1974 amendatory act and into the revolving fund created by section 20 of this 1974 amendatory act; (3) for purposes of making deposits into the general fund; and (4) for the repayment to the general fund of the amount appropriated to the fund pursuant to section 24 of this 1974 amendatory act.

NEW SECTION. Sec. 19. In the event the commission decides to pay any portion of or all of the prizes in the form of installments over a period of years, it shall provide for the payment of all such installments by one, but not both, of the following methods:

(1) It may enter into contracts with any financially responsible person or firm providing for the payment of such installments; or

(2) It may establish and maintain a reserve account into which shall be placed sufficient moneys for the director of the lottery to pay such installments as they become due. Such reserve account shall be maintained as a separate and independent fund outside the state treasury.

NEW SECTION. Sec. 20. There is hereby created a revolving fund into which the commission shall deposit sufficient money to provide for the payment of the costs incurred in the operation and administration of the lottery: PROVIDED, That the amount deposited in such revolving fund shall never exceed fifteen percent of the total revenues accruing from the sale of lottery tickets or shares. Such revolving fund shall be managed, controlled and maintained by the commission and shall be a separate and independent fund outside the state treasury.

NEW SECTION. Sec. 21. The provisions of the administrative procedure act, chapter 34.04 RCW, as now law or hereafter amended, shall apply to administrative actions taken by the commission or the director pursuant to this chapter.



NEW SECTION. Sec. 22. The state auditor, in addition to the duties assigned to him by RCW 9.46.060 shall conduct an annual post-audit of all accounts and transactions of the lottery and such other special post-audits as he may be directed to conduct pursuant to chapter 43.09 RCW.

NEW SECTION. Sec. 23. If any clause, sentence, paragraph, subdivision, section, provision, or other portion of sections 1 through 19 of this 1974 amendatory act or the application thereof to any person or circumstances is held to be invalid, such holding shall not affect, impair, or invalidate the remainder of this chapter or the application of such portion held invalid to any other person or circumstances, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, provision, or other portion thereof directly involved in such holding or to the person and circumstances therein involved. If any provision of this chapter is inconsistent with, in conflict with, or contrary to any other provision of law, such provision of this chapter shall prevail over such other provision and such other provision shall be deemed to have been amended, superseded, or repealed to the extent of such inconsistency, conflict, and contrariety.

NEW SECTION. Sec. 24. There is hereby appropriated to the state lottery fund from the general fund the sum of one million five hundred thousand dollars, or so much thereof as may be necessary, for the purposes of the lottery in carrying out its functions and duties pursuant to sections 1 through 23 of this 1974 amendatory act. Such appropriation shall be repaid to the general fund as soon as practicable from the net revenues accruing in the state lottery fund after the payment of prizes to holders of winning tickets or shares and expenses of the lottery.

NEW SECTION. Sec. 25. Sections 1 through 23 of this 1974 amendatory act shall constitute a new chapter in Title 67 RCW.

NEW SECTION. Sec. 26. There is added to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW a new section to read as follows:

The provisions of this chapter, as now law or hereafter amended, shall not apply to the conducting, operating, participating, or selling or purchasing of tickets or shares in the "lottery" or "state lottery" as defined in section 1 of this 1974 amendatory act when such conducting, operating, participating, or selling or purchasing is in conformity to the provisions of sections 1 through 23 of this 1974 amendatory act and to the rules and regulations adopted thereunder.

Sec. 27. Section 4, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.040 are each amended to read as follows:

There shall be a commission, known as the "Washington state gambling commission", consisting of five members appointed by the governor with the consent of the senate. The members of the commission shall be appointed within thirty days of July 16, 1973 for terms beginning July 1, 1973, and expiring as follows: One member of the commission for a term expiring July 1, 1975; one member of the commission for a term expiring July 1, 1976; one member of the commission for a term expiring July 1, 1977; one member of the commission for a term expiring July 1, 1978;

and one member of the commission for a term expiring July 1, 1979; each as the governor so determines. Their successors, all of whom shall be citizen members appointed by the governor with the consent of the senate, upon being appointed and qualified, shall serve six year terms: PROVIDED, That no member of the commission who has served a full six year term shall be eligible for reappointment. In case of a vacancy, it shall be filled by appointment by the governor for the unexpired portion of the term in which said vacancy occurs. No vacancy in the membership of the commission shall impair the right of the remaining member or members to act, except as in RCW 9.46.050 (2) provided.

In addition to the members of the commission there shall (~~initially~~) be four ex officio members without vote from the legislature consisting of: (1) Two members of the senate, one from the majority political party and one from the minority political party, both to be appointed by the president of the senate; (2) two members of the house of representatives, one from the majority political party and one from the minority political party, both to be appointed by the speaker of the house of representatives; (all of whose terms shall end December 31, 1974; appointments shall be made within thirty days of July 16, 1973) such appointments shall be for a term of two years or for the period in which the appointee serves as a legislator, whichever expires first; members may be reappointed; vacancies shall be filled in the same manner as original appointments are made. Such ex officio members who shall collect data deemed essential to future legislative proposals and exchange information with the board shall be deemed engaged in legislative business while in attendance upon the business of the board and shall be limited to such allowances therefor as otherwise provided in RCW 44.04.120, the same to be paid from the "gambling revolving fund" as being expenses relative to commission business.

NEW SECTION. Sec. 28. This 1974 amendatory act shall be submitted to the people for their adoption and ratification, or rejection, at a special election hereby ordered by the legislature, which election shall be held in conjunction with the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1974, all in accordance with the provisions of section 1, Article II of the Constitution of the state of Washington, as amended, and the laws adopted to facilitate the operation thereof."

Mr. Gallagher spoke in favor of the amendment.

Mr. Newhouse moved adoption of the following amendment to the amendment by Representative Gallagher:

On page 3, line 1 after "than" and before "percent" strike "forty-five" and insert "seventy"

Mr. Newhouse spoke in favor of the amendment to the amendment, and Mr. Bagnariol spoke against it.

Representatives Flanagan, Curtis, Newhouse and Berentson spoke in favor of the amendment to the Gallagher amendment, and Representative Wojahn spoke against it.

The amendment to the amendment was not adopted.

Mr. Gallagher spoke in favor of his amendment to Substitute House Bill No. 29.

#### POINT OF ORDER

Mr. Julin: "Mr. Speaker, in light of Representative Gallagher's remarks, it is clear that the bill that passed this body and was vetoed by the Governor is still before the body. I wonder if there is sufficient difference between this measure and that one so that it doesn't come within the prohibition of our rules which say that we can't act on a measure that is identical with one already pending?"

#### SPEAKER'S RULING

The Speaker: "Representative Julin, I would like to direct your attention to section 29. This matter is referred to the people, which plainly changes the context from the original bill."

The amendment was adopted.

On motion of Mr. Gallagher, the following amendment to the title was adopted:

On page 1 strike the title and insert:

"AN ACT Relating to the establishment and operation of a state lottery; amending section 4, chapter 218, Laws of 1973 1st ex. sess. and RCW 9.46.040; creating a new chapter in Title 67 RCW; adding a new section to chapter 218, Laws of 1973 1st ex. sess. and to chapter 9.46 RCW; creating new sections; prescribing penalties; providing for submission of this act to a vote of the people; and making an appropriation."

Substitute House Bill No. 29 was ordered engrossed.

#### MOTION

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 29 be placed on final passage.

Mr. Pardini demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Conner that Engrossed Substitute House Bill No. 29 be placed on final passage, and the motion was carried by the following vote: Yeas, 62; nays, 31; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Blair, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Pardini, Parker, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Bluechel, Cunningham, Curtis, Eikenberry, Freeman, Gilleland, Hansey, Hayner, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Matthews, Morrison, Newhouse, North L., Paris, Patterson, Polk, Pullen, Rabel, Tilly, Williams, Zimmerman.

Not voting: Representatives Anderson, Ceccarelli, Hoggins, Lysen, Nelson.

The Speaker stated the question before the House to be Engrossed Substitute House Bill No. 29 on final passage.

Representatives Conner, Gallagher and Flanagan spoke in favor of the bill, and Representatives Zimmerman and Leckenby spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 29, and the bill passed the House by the following vote: Yeas, 62; nays, 33; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Blair, Brown, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Hansen, Haussler, Hawkins, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, King, Knowles, Kopet, Laughlin, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., O'Brien, Pardini, Parker, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Bluechel, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Gilleland, Goltz, Hansey, Hayner, Julin, Kilbury, Kishimoto, Kraabel, Kuehnle, Leckenby, Luders, Matthews, Newhouse, North L., Paris, Patterson, Polk, Pullen, Rabel, Tilly, Van Dyk, Williams, Zimmerman.

Not voting: Representatives Anderson, Ceccarelli, Hoggins.

Engrossed Substitute House Bill No. 29, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1185, by Representatives Sommers, Shinpoch, Perry, Erickson, Bender and Blair:

Making revision to the timber taxation laws.

The bill was read the second time.

MOTION

On motion of Mr. Randall, Substitute House Bill No. 1185 was substituted for House Bill No. 1185, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1185 was read the second time.

MOTION

Mr. Pardini moved that Substitute House Bill No. 1185 be rereferred to the Committee on Ways and Means - Revenue.

Mr. Pardini spoke in favor of the motion.

Mr. Charette demanded an electric roll call, and the demand was sustained.

Mr. Randall spoke against the motion to rerefer Substitute House Bill No. 1185 to the Committee on Ways and Means - Revenue.

POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Julin.

Mr. Julin: "Representative Randall, would you explain for me and for the body the differences between Substitute House Bill No. 1185 and your proposed amendment?"

SPEAKER'S RULING

The Speaker: "Mr. Julin, the proposed amendment is not before us at the present time; therefore your question is out of order."

Debate ensued, Representatives Benitz, Pardini, Berentson, Julin and Bluechel speaking in favor of the motion, and Representatives Moon, Bagnariol and Sommers speaking against it.

ROLL CALL

The Clerk called the roll on the motion by Mr. Pardini to rerefer Substitute House Bill No. 1185 to the Committee on Ways and Means - Revenue, and the motion was lost by the following vote: Yeas, 41; nays, 53; not voting, 4.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Planagan, Freeman, Garrett, Gilleland, Hansey,

Hayner, Hendricks, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Luders, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpooh, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Ceccarelli, Hoggins, Lysen.

#### MOTION

Mr. Charette moved that Substitute House Bill No. 1185 be held for consideration on the next working day, and that it hold its place on the second reading calendar.

#### POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Pardini.

Mr. Pardini: "Mr. Randall, I don't know what the schedule is for tomorrow, but let's assume that we will have the time--is it conceivable that the Revenue Committee would invite back the public to ask them some questions about the amendment which you have proposed?"

Mr. Randall: "We haven't planned any more public testimony on this, Representative Pardini. It looks like we have had a good share today."

The motion to defer consideration of Substitute House Bill No. 1185 was carried.

#### POINT OF PERSONAL PRIVILEGE

Mr. Newhouse: "During the debate on this last motion some rather serious accusations were made about decisions made by leadership as to what should be presented to our caucus. I want to answer those this way: The first time that any of us saw hard copy of the proposed amendment was this morning. The proposition in the proposed amendment was brought to us in rather vague terms in leadership meeting by staff a week ago Friday, that is true, and several of the group were qualified, as well as staff, to explain it to our caucus, which we did. The decision not to have staff explain it is because this is a legislature; we wanted legislative involvement, not staff dictating what we do."

HOUSE BILL NO. 1316, by Representatives Newhouse, Sommers, Bagnariol and Rabel:

Prohibiting the sale and limiting the lease of university tract properties.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1316 was placed on final passage.

Representatives Newhouse and Savage spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1316, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Bluechel, Brown, Charette, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representative Conner.

Not voting: Representatives Anderson, Benitz, Ceccarelli, Hoggins.

House Bill No. 1316, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1520, by Representatives Conner and Eikenberry:

Revising the usury laws with respect to business borrowing.

The bill was read the second time.

#### MOTION

On motion of Mr. Charette, further consideration of House Bill No. 1520 was deferred, and the bill was ordered placed on the second reading calendar for tomorrow.

ENGROSSED SENATE BILL NO. 3044, by Senator Grant:

Providing for mandatory dates for holding certain elections.

The bill was read the second time.

## MOTION

On motion of Mr. King, further consideration of Engrossed Senate Bill No. 3044 was deferred, and the bill was ordered placed on the second reading calendar for tomorrow.

## MOTION

On motion of Mr. Thompson, the House reverted to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

March 9, 1974

HOUSE BILL NO. 1230, Prime sponsor: Representative Jastad, providing for dental examining board and dental examiners, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Fortson, Freeman, Hendricks, Honan, Jastad, Johnson, Matthews, May, Paris, Savage, Tilly, Wojahn.

To Committee on Rules for second reading.

April 5, 1974

HOUSE BILL NO. 1377, Prime sponsor: Representative Thompson, making certain changes in the laws relating to correctional institutions, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Fortson, Freeman, Honan, Johnson, Matthews, May, Paris, Savage, Tilly.

To Committee on Rules for second reading.

March 8, 1974

HOUSE BILL NO. 1403, Prime sponsor: Representative Parker, requiring drug prices to be posted, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass.



Signed by Representatives Parker, Vice Chairman; Cunningham, Ellis, Fortson, Freeman, Honan, Kelley, Matthews, May, Paris, Savage, Wojahn.

To Committee on Rules for second reading.

April 5, 1974

ENGROSSED SENATE BILL NO. 3202, Prime sponsor: Senator Marsh, establishing the college work-study program for needy students in post-secondary institutions and public vocational technical schools, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 24 after "established" insert "which are comparable"

Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Bausch, Blair, Charette, Chatalas, Curtis, Ehlers, Hansey, Juelling, Kopet, Luders, Morrison, North (Lois), Polk, Valle, Van Dyk, Warnke, Zimmerman.

To Committee on Rules for second reading.

April 5, 1974

ENGROSSED SENATE JOINT RESOLUTION NO. 149, Prime sponsor: Senator Bailey, amending the Constitution to establish a citizens' commission to set salaries of legislators and statewide elected officials, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass. Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Eng, Erickson, Hawkins, Knowles, Maxie.

To Committee on Rules for second reading.

#### MOTIONS

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

On motion of Mr. Thompson, HOUSE BILL NO. 1412 was rereferred from the Committee on State Government to the Committee on Ways and Means - Appropriations.

On motion of Mr. Charette, the House adjourned until 1:30 p.m., Tuesday, April 16, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-THIRD DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Tuesday, April 16, 1974.

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Hurley, Kalich and Kraabel. Representative Hurley was excused.

The flag was escorted to the rostrum by a Sergeant at Arms-Color Guard. Prayer was offered by the Reverend Henry S. Rahn of the First Baptist Church of Olympia.

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

## SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the House Chamber the 1974 Apple Blossom Queen and her two Princesses, and appointed Representatives Curtis, Tilly, Haussler, Morrison, Flanagan and Ellis to escort them to the rostrum.

The Speaker (Mr. O'Brien presiding) introduced Princess Cathy Williams, Princess Adele Fischer and Queen Julie Agens.

Queen Julie Agens addressed the House, inviting the members of the House to attend the 1974 Apple Blossom Festival.

The Speaker (Mr. O'Brien presiding) requested the special escort committee to escort Queen Julie and her court from the House Chamber.

## MESSAGE FROM THE SENATE

April 15, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 3253,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3253, by Committee on Ways and Means (Originally sponsored by Senators Donohue and Odegaard):

AN ACT Relating to expenditures by state agencies and offices of the state; making appropriations for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; making other appropriations; designating effective dates for certain appropriations; amending section 34, chapter 142, Laws of 1974 1st ex. sess. (uncodified); amending section 41, chapter 142, Laws of 1974 1st ex. sess. (uncodified); amending section 52, chapter 142, Laws of 1974 1st ex. sess. (uncodified); and declaring an emergency.

To Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

April 16, 1974

HOUSE BILL NO. 869, Prime sponsor: Representative Luders, relating to air pollution, reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Luders, Chairman; Valle, Vice Chairwoman; Bauer, Bluechel, Charnley, Douthwaite, Goltz, Hawkins, Kraabel, McCormick, North (Lois), Pullen, Smith, Wilson, Zimmerman.

To Committee on Rules for second reading.

April 16, 1974

HOUSE BILL NO. 1252, Prime sponsor: Representative Wojahn, providing special penalties for theft of gasoline, reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Ceccarelli, Gallagher, Gilleland, Leckenby, O'Brien, Randall, Wilson.

To Committee on Rules for second reading.

April 16, 1974

HOUSE BILL NO. 1279, Prime sponsor: Representative Douthwaite, raising renewal fees for professional engineers and surveyors, reported by Committee on Commerce.

MAJORITY recommendation; Do pass with the following amendments:

Immediately following section 1 add a new section to read as follows:

"NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 3 of the title after "18.43.080" insert "; and declaring an emergency"

Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Ceccarelli, Curtis, Gallagher, Gilleland, Juelling, Kuehnle, Leckenby, O'Brien, Randall, Wilson.

To Committee on Rules for second reading.

April 16, 1974

HOUSE BILL NO. 1504. Prime sponsor: Representative Adams, enacting the "Health Act of 1974," reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Fortson, Freeman, Hendricks, Honan, Johnson, Matthews, May, Paris, Savage, Tilly, Winsley, Wojahn.

To Committee on Rules for second reading.

April 5, 1974

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 2186. Prime sponsor: Senator Bottiger, regulating the practice of naturopathy, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 6 after "equilibrium" insert ": PROVIDED, HOWEVER, That nothing herein shall allow the performance of abortions, or otherwise involve the premature termination of pregnancies"

On page 3, line 8 after "No" insert "naturopathic"

On page 3, line 25 after "(1)" strike "To receive all applications for license and to" and insert "To"

On page 4, line 6 after "with" insert "approval of"

On page 4, line 7 after "RCW" insert ", except as provided in section 3(2) of this act"

On page 4, line 9 after "to the" strike "board" and insert "director"

On page 4, beginning on line 17 after "least" strike the remainder of the section and insert "seventy natural childbirths with a year's residency with a practicing naturopathic physician specializing in natural childbirth, and, further, each applicant for certification must pass written, oral and practical examinations conducted by two

naturopathic physicians who have participated in more than seventy deliveries, an osteopathic obstetrician and a medical obstetrician. Such certifying committee shall be appointed by the director and will report the results of each examination to the director."

On page 6, beginning on line 17 of the engrossed bill, being line 19 of the printed second substitute bill, after "conclusions" strike all material down to and including "evidence" on line 18 of the engrossed bill, being line 20 of the printed bill.

On page 6, beginning on line 28 of the engrossed bill, being line 30 of the printed second substitute bill, after "dismissal." strike the remainder of the section and insert "The accused shall be served with duplicate copies of the findings and conclusions and final order of the board."

On page 8, line 32 of the engrossed bill, being page 9, line 1 of the printed second substitute bill, after "podiatry," insert "nursing,"

Signed by Representatives Adams, Chairman; Cunningham, Ellis, Eng, Fortson, Freeman, Johnson, May, Paris, Savage.

To Committee on Rules for second reading.

April 15, 1974

ENGROSSED SENATE BILL NO. 3358, Prime sponsor: Senator Peterson (Lowell), authorizing the disposition of the site and improvements of the Northern State Hospital, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. Northern State Hospital at Sedro Woolley, Washington has been closed as a mental hospital. The purpose of this 1974 act is to authorize the disposition of the real property and improvements thereon in a manner that will be most beneficial to the people of the immediate area affected by the closure and to the state of Washington.

NEW SECTION. Sec. 2. The secretary of the department of social and health services shall transfer the real property, improvements, and appurtenances thereto of the Northern State Hospital site to the departments of general administration and natural resources immediately. The department of social and health services will transfer the funds and the responsibility to maintain the facilities to the department of general administration.

NEW SECTION. Sec. 3. The department of natural resources shall manage or dispose of lands deemed not to be directly adjacent to buildings on the Northern State Hospital site in the same manner as other state lands as provided for in title 79 RCW in accordance with the intent of section 1 of this 1974 act. The proceeds from such management or disposal shall be the same as proceeds from the management of state lands in title 79 RCW.

NEW SECTION. Sec. 4. The department of general administration shall administer the disposition of the buildings and adjacent lands. Commencing on the effective date of this 1974 act, the director of the department of general administration or his designee shall consult with officials of the various political subdivisions of the immediate area affected by the closure to determine whether community use may be made of such facilities. If no agreement is reached by June 30, 1975 regarding future use of such facilities, the director shall dispose of the properties in the usual manner.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On line 2 of the title after "sections" and before the period insert "; and declaring an emergency"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Fortson, Freeman, Hendricks, Honan, Matthews, May, Paris, Savage, Tilly, Winsley, Wojahn.

To Committee on Rules for second reading.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1185, by Committee on Ways and Means - Revenue (Originally sponsored by Representatives Sommers, Shinpoch, Perry, Erickson, Bender and Blair):

Making revision to the timber taxation laws.

The bill was read the second time.

Mr. Randall moved adoption of the following amendment:  
On page 1, after the enacting clause strike the remainder of the bill and insert the following:

"Section 1. Section 7, chapter 294, Laws of 1971 ex. sess. as amended by section 1, chapter 148, Laws of 1972 ex. sess. and RCW 82.04.291 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a harvester of timber; as to such persons the amount of tax with respect to such business shall be equal to the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by the appropriate rate as follows:

(a) For timber harvested between October 1, 1972 and September 30, 1973 inclusive, the rate shall be one and three-tenths percent;

(b) For timber harvested between October 1, 1973 and September 30, 1974 inclusive, the rate shall be two and nine-tenths percent;

(c) For timber harvested ((on or after)) between October 1, 1974 and December 31, 1978 inclusive, the rate shall be ((determined and fixed by the first session of the legislature commencing on or after January 1, 1973; whether regular or extraordinary; in accordance with the purposes and intent of RCW 84.33.180)) six and one-half percent;

(d) Notwithstanding the provisions of paragraph (c) above, between October 1, 1974 and December 31, 1978 the rate shall be four and one-half percent for the first two hundred thousand board feet harvested within a calendar year by an individual harvester: PROVIDED, That the department of revenue may adopt rules and regulations providing for alternate methods of effectively applying the rate provided for in this paragraph, including but not limited to harvest value adjustments.

(2) For purposes of this section:

(a) 'Harvester' means every person who from his own privately owned land or from the privately owned land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services fells, cuts or takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(b) 'Timber' means forest trees, standing or down on privately owned land, and except as provided in RCW 84.33.170 includes Christmas trees.

(c) 'Stumpage value of timber' means the appropriate stumpage value shown on tables to be prepared by the department of revenue pursuant to subsection (3) of this section.

(d) Timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined. The amount harvested shall be determined by the Scribner Decimal C Scale or other prevalent measuring practice adjusted to arrive at substantially equivalent measurements, as approved by the department of revenue.

(3) On or before July 1, 1972 and as necessary thereafter, the department of revenue shall designate areas containing timber having similar growing, harvesting and marketing conditions to be used as units for the preparation and application of stumpage values. Before September 1, 1972 for use during the fourth quarter of 1972 and all of 1973, and before December 1 of each year commencing with 1973, for use during the succeeding year, the department shall prepare tables of stumpage values of each species or subclassification of timber within such units, which values shall be the amount that each such species or subclassification would sell for at a voluntary sale made in the ordinary course of business for purposes of immediate harvest. Such stumpage values, expressed in terms of a dollar amount per thousand board feet or other unit measure, shall be determined from (a) gross proceeds from sales on the stump of similar timber of like quality and character at similar locations, and in similar

quantities, or from (b) gross proceeds from sales of logs adjusted to reflect only the portion of such proceeds attributable to value on the stump immediately prior to harvest, or from a combination of (a) and (b), and shall be determined in a manner which makes reasonable and adequate allowances for age, size, quality, costs of removal, accessibility to point of conversion, market conditions and all other relevant factors. If, on or before April 1 of any year commencing with 1975, the department shall determine that the stumpage value index as of January 1 of such year is greater or smaller, by ten percent or more, than the stumpage value index as of July 1 of the preceding year it shall, in the same manner prescribed for annual stumpage value determinations, prepare revised tables setting forth stumpage values. Such revised tables shall be applicable to timber harvested between July 1 and December 31 of such year, inclusive. The term stumpage value index as of any date shall mean a weighted average price of state and federal timber sales for all species during the twelve months prior to such date, such weighting to be based upon the actual volumes of the several species or subclassifications of timber harvested during the four most recent calendar quarters for which such information is available from tax returns filed by harvesters. Such index and the procedures to be followed in calculating it shall be further defined in regulations to be prepared by the department of revenue. Upon application from any person who plans to harvest damaged timber, the stumpage values for which have been materially reduced from the values shown in the applicable tables due to damage resulting from fire, blow down, ice storm, flood or other sudden unforeseen cause, the department shall revise such tables for any area in which such timber is located and shall specify any additional accounting or other requirements to be complied with in reporting and paying such tax. The preliminary area designations and stumpage value tables and any revisions thereof shall be subject to review by the forest tax committee established pursuant to RCW 84.33.180 prior to finalization. Tables of stumpage values shall be signed by the director or his designee and authenticated by the official seal of the department. A copy thereof shall be mailed to anyone who has submitted to the department a written request therefor.

(4) On or before ((October 31, 1972, with respect to stumpage values set by the department of revenue for the fourth quarter of 1972 and all of 1973, and on or before January 31 of each succeeding year commencing with 1974, with respect to stumpage values set by the department of revenue for such year;)) the sixtieth day after the date of final adoption of any stumpage value tables, any harvester may appeal to the board of tax appeals for a revision of stumpage values for an area determined pursuant to subsection (3) of this section.

(5) There are hereby created in the state treasury a state timber tax fund A ((and a state timber tax fund B7)) separate and apart from the state general fund. The revenues from the tax imposed by subsection (1) of this section shall be deposited in state timber tax fund A ((and state timber tax fund B as follows:



YEAR OF COLLECTION	FUND A	FUND B
1973 through 1978	100%	0%
1979	75%	25%
1980	50%	50%
1981	25%	75%
1982 and thereafter 0% (100%)).		

(6) In addition to the rates specified in subsection (1) of this section, there shall be imposed upon such persons a surtax at a rate of .5% of the stumpage value of timber as specified in such subsection (1) upon timber harvested between October 1, 1972 and ((December 31) September 30, 1974 inclusive. The revenues from such surtax shall be deposited in a separate fund designated the state timber reserve fund, which is hereby created in the state treasury separate and apart from the state general fund. Such surtax shall be reimposed for one year upon timber harvested in any calendar year following any fourth quarter during which transfers from such reserve fund pursuant to subsection (3) of RCW 84.33.080 reduce the balance in such fund to less than five hundred thousand dollars, but in no event shall such surtax be imposed in any year after 1980.

(7) The tax imposed under this section shall be computed with respect to timber harvested each calendar quarter and shall be due and payable in quarterly installments and remittance therefor shall be made on or before the last day of the month next succeeding the end of the quarterly period in which the tax accrued. The taxpayer on or before such date shall make out a return, upon such forms and setting forth such information as the department of revenue may require, showing the amount of the tax for which he is liable for the preceding quarterly period, and shall sign and transmit the same to the department of revenue, together with a remittance for such amount.

(8) The taxes imposed by this section shall be in addition to any taxes imposed upon the same persons pursuant to one or more of sections RCW 82.04.230 to 82.04.290, inclusive, and RCW 82.04.440, and none of such sections shall be construed to modify or interact with this section in any way, except RCW 82.04.450 and 82.04.490 shall not apply to the taxes imposed by this section.

(9) Any harvester incurring less than ten dollars tax liability under this section in any calendar quarter shall be excused from the payment of such tax, but may be required by the department of revenue to file a return even though no tax may be due.

((10) Subsection (1) of this section is enacted to be fully effective commencing upon May 24, 1974, even though all rates of tax are not specified. The forest tax committee established pursuant to RCW 84.33.180 shall, as its first priority and in addition to its other responsibilities, develop a recommendation with respect to rates for presentation to the first session of the legislature commencing on or after January 4, 1972; whether regular or extraordinary.))

Sec. 2. Section 8, chapter 294, Laws of 1971 ex. sess. as last amended by section 92, chapter 195, Laws of 1973

1st ex. sess. and RCW 84.33.080 are each amended to read as follows:

(1) On or before December 15 of each year commencing with 1972 ~~((and ending with 1980))~~, the assessor of each timber county shall deliver to the treasurer of such county and to the department of revenue a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The value of timber as shown on the timber roll for such year;

(b) The aggregate dollar rate calculated pursuant to RCW 84.33.060 and actually utilized the immediately preceding October in extending real property taxes upon the tax rolls for collection in the following year;

(c) A 'timber factor' which is the product of such aggregate dollar rate, the assessment ratio applied generally by such assessor in computing the assessed value of other property in his county and the appropriate portion listed below of the timber roll for such year ((a) above);

Year	Portion of Timber Roll
1972	25%
1973	55%
1974 <del>((through 1977))</del> <u>and thereafter</u>	100%
<del>((1978</del>	75%
<del>1979</del>	50%
<del>1980</del>	<del>25%))</del>

On or before December 31 of each year commencing with 1972 ~~((and ending with 1980))~~, the department of revenue shall determine the proportion that each taxing district's timber factor bears to the sum of the timber factors for all taxing districts in the state, and shall deliver a list to the assessor and the treasurer of each timber county and to the state treasurer showing the factor and proportion for each taxing district.

(2) On the ~~((tenth))~~ twentieth day of the second month of each calendar quarter, commencing February ~~((10, 1973))~~ 20, 1974 ~~((and ending November 10, 1981))~~, the state treasurer shall pay to the treasurer of each timber county for the account of each taxing district such district's proportion (determined in December of the preceding year pursuant to subsection (1) of this section) of the amount in state timber tax fund A collected upon timber harvested in the preceding calendar quarter, but in no event shall any such quarterly payment to a taxing district, when added to ~~((the))~~ such payments made to such district the previous quarters of the same year, exceed, respectively one-fourth, one-half, three-fourths, or the full amount of the timber factor for such district determined in December of the preceding year.

The balance in state timber tax fund A, if any, after the distribution to taxing districts on November ~~((10 each year commencing with 1973 and ending with 1981))~~ 20, 1974 and on the twentieth day of the second month of each calendar quarter commencing February 20, 1975 shall be transferred to the state timber reserve fund.

(3) If the balance in state timber tax fund A immediately prior to such November ~~((10))~~ 20 distribution to taxing districts is not sufficient to permit a payment which, when added to the payments made to any taxing

district the previous quarters of the same year, will equal the timber factor for such district determined in December of the preceding year, the necessary additional amount shall be transferred from the state timber reserve fund to state timber tax fund A.

(4) If, after the transfer, if any, from the state timber tax fund A (pursuant to subsection (2) of this section) in August of 1974, the balance in the state timber reserve fund exceeds two million dollars, the amount of the excess shall be applied first, to reimburse the general fund for the portion of the appropriation to the department of revenue related to the activities of the forest valuation section, except that such reimbursement shall not exceed the actual expenditures for such section during the previous fiscal year, and if the amount of the excess is more than is necessary for such purpose, it shall be applied second, to reimburse the department of natural resources for expenses incurred in the classification of lands as required by this chapter, if any, during the previous fiscal year. If the amount of such excess is more than is necessary for reimbursement for such purposes, the remaining amount of the excess, not to exceed five million dollars, shall be distributed to the taxing districts which distribution shall be made in calendar year 1975 and in the following manner:

(a) The department of revenue shall calculate a harvest factor and a harvest factor proportion for each taxing district, in the manner provided in subsection (5) of this section except that for years before 1978 there shall be used the aggregate value of timber harvested for as many quarters for which information is available;

(b) The department of revenue shall calculate a forest land value factor and a forest land value factor proportion for each taxing district, in the manner provided in subsection (6) of this section;

(c) By multiplying the amount of such excess by a weighting between the sum of the harvest factor proportion and forest land value factor proportion for each taxing district respectively, the department of revenue shall calculate the amount to be distributed to each local taxing district and to the state and shall certify such amounts to the respective county assessors and state on or before December 31;

(d) Along with each quarterly payment pursuant to subsection (2) of this section, the state treasurer shall pay, out of the state timber reserve fund, to the treasurer of each timber county for the account of each local taxing district one-fourth of such district's portion (determined pursuant to (b) and (c) above) of such excess and the state treasurer shall pay into the state's general fund for the support of the common schools out of the state timber reserve fund such additional one-fourth amount due the state.

((The balance, if any, in the state timber reserve fund after the final transfer, if any, to or from state timber tax fund A in November of 1984, shall be transferred to state timber tax fund B on December 31, 1984; and one-fourth of such balance shall be distributed in each quarter

of 1982 in the manner set forth in subsection (6) of this section:))

(5) On or before December 31 of each year commencing with 1978, the department of revenue shall deliver to the treasurer of each timber county a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The average of the aggregate value of all timber harvested within such district in each of the immediately preceding five years as determined from the excise tax returns filed with the department of revenue;

(b) The aggregate dollar rate calculated pursuant to RCW 84.33.060 and chapter 84.52.RCW and actually utilized the immediately preceding October in extending real property taxes upon the tax rolls for collection the following year;

(c) A 'harvest factor' which is the product of such five year average and such aggregate dollar rate;

(d) The proportion that each taxing district's harvest factor bears to the sum of the harvest factors for all taxing districts in the state.

(6) ((On the tenth day of the second month of each calendar quarter commencing February 10, 1979, the state treasurer shall pay to the treasurer of each timber county for the account of each taxing district such district's proportion (determined in December of the preceding year pursuant to subsection (5) of this section) of the amount in state timber tax fund B collected upon timber harvested in the preceding calendar quarter:)) On or before December 31 of 1974 the department of revenue shall deliver to the treasurer of each timber county a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The aggregate value of all forest land within such district as determined by the department of revenue;

(b) The aggregate dollar rate calculated pursuant to RCW 84.33.060 and chapter 84.52 RCW and actually utilized the immediately preceding October in extending real property taxes upon the tax rolls for collection the following year;

(c) A 'forest land value factor' which is the product of such aggregate value of all forest land within such district and such aggregate dollar rate;

(d) The proportion that each taxing district's forest land value factor bears to the sum of the forest land value factors for all taxing districts in the state.

(7) On or before December 31 of each year commencing with 1974, the assessor of each timber county shall deliver to the department of revenue a schedule setting forth for each taxing district or portion thereof lying within the county (1) the total forest land values by district and (2) the regular and excess dollar rates actually utilized the immediately preceding October in extending property taxes upon the tax rolls for collection the following year.

Sec. 3. Section 11, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.110 are each amended to read as follows:

(1) On or before September 1, 1971, the department of revenue shall promulgate rules in accordance with chapter

34.04 RCW setting forth criteria and procedures for grading forest land on the basis of its quality, accessibility and topography. Three general quality classes shall be established which shall be 'good', 'average' and 'poor'. Within each of the three general quality classes, four classes of accessibility and topography shall be established which shall be 'favorable', 'average', 'difficult' and 'inoperable'. On or before March 1, 1972 each assessor shall grade all forest land within his county, in accordance with such rules. Land not initially so graded but later designated as forest land pursuant to subsection (3) of RCW 84.33.120 or 84.33.130, or otherwise determined to be forest land, shall be graded in accordance with such rules. This subsection and rules promulgated thereunder shall not have any force or effect after grading of all forest land in the state has been completed by the department of natural resources or December 31, 1980, whichever first occurs.

(2) The department of natural resources, in consultation with the department of revenue and other appropriate representatives of government agencies and landowners, shall design and implement a program to determine which privately owned land is forest land as defined by RCW 84.33.100 and as classified under chapter 84.28 RCW and to have such forest land graded by the department of natural resources in conformance with factors that may affect the nurture and continued production of forests at each site, such as but not limited to species variability, characteristics of forest soils, climate variability, topography and access. The program shall include field work to obtain data which are necessary or useful in determining such grades and identifying which land is devoted to or suitable for growing and harvesting timber. The program shall be completed by December 31, 1980.

Sec. 4. Section 12, chapter 294, Laws of 1971 ex. sess. as amended by section 5, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.120 are each amended to read as follows:

(1) On or before March 1, 1972 and January 1 of each year commencing with 1973, subject to review by the ~~((forest tax committee established pursuant to RCW 84.33.100))~~ ways and means committees of the house and senate and after compliance with the procedures set forth in chapter 34.04 RCW for adoption of rules, the department of revenue shall determine the true and fair value of each grade of bare forest land and shall certify such values to the county assessors. Such values shall be determined on the basis that the only use of the land is for growing and harvesting timber, and other potential uses shall not be considered in fixing such values.

(2) In preparing the assessment rolls as of January 1, 1971 for taxes payable in 1972, the assessor shall list each parcel of forest land at a value not to exceed the value used on the 1970 assessment roll for such land. In preparing the assessment roll for 1972 and each year thereafter, the assessor shall enter as the true and fair value of each parcel of forest land the appropriate grade value certified to him by the department of revenue, and he

shall compute the assessed value of such land by using the same assessment ratio he applies generally in computing the assessed value of other property in his county. In preparing the assessment roll for 1975 and each year thereafter, the assessor shall assess and value as classified forest land all forest land that is not then designated pursuant to subsection (3) of RCW 84.33.120 or RCW 84.33.130 and shall make a notation of such classification upon the assessment and tax rolls. On or before January 15 of the first year in which such notation is made, the assessor shall mail notice by certified mail to the owner that such land has been classified as forest land and is subject to the compensating tax imposed by this section. If the owner desires not to have such land assessed and valued as classified forest land, he shall give the assessor written notice thereof on or before March 31 of such year and the assessor shall remove from the assessment and tax rolls the classification notation entered pursuant to this subsection, and shall thereafter assess and value such land in the manner provided by law other than this chapter 84.33 RCW.

(3) In any year commencing with 1972, an owner of land which is assessed and valued by the assessor other than pursuant to the procedures set forth in RCW 84.33.110 and subsections (1) and (2) of this section, and which has, in the immediately preceding year, been assessed and valued by the assessor as forest land, may appeal to the county board of equalization by filing an application with the board in the manner prescribed in subsection (2) of RCW 84.33.130. The county board shall afford the applicant an opportunity to be heard if the application so requests and shall act upon the application ((with due regard to all relevant evidence without any one or more items of evidence necessarily being determinative)) in the manner prescribed in subsection (3) of section 5 of this 1974 amendatory act.

(4) ((The assessor may in any year commencing with 1972 discontinue assessing and valuing pursuant to the procedures set forth in RCW 84.33.110 and subsections (1) and (2) of this section any land, except designated forest land, for which a higher and better use exists than growing and harvesting timber. The owner of such land shall thereupon have the right to apply for designation of such land as forest land pursuant to subsection (3) of this section or RCW 84.33.130.)) Land that has been assessed and valued as classified forest land as of any year commencing with 1975 assessment year or earlier shall continue to be so assessed and valued until removal of classification by the assessor only upon the occurrence of one of the following events:

(a) Receipt of notice from the owner to remove such land from classification as forest land;

(b) Sale or transfer to an ownership making such land exempt from ad valorem taxation;

(c) Determination by the assessor, after giving the owner written notice and an opportunity to be heard, that, because of actions taken by the owner, such land is no longer primarily devoted to and used for growing and harvesting timber;

(d) Determination that a higher and better use exists for such land than growing and harvesting timber after giving the owner written notice and an opportunity to be heard.

The assessor shall remove classification pursuant to subsections (c) or (d) above prior to September 30 of the year prior to the assessment year for which termination of classification is to be effective. Removal of classification as forest land upon occurrence of subsection (a), (b) or (d) above shall apply only to the land affected, and upon occurrence of subsection (c) shall apply only to the actual area of land no longer primarily devoted to and used for growing and harvesting timber.

(5) Within thirty days after such removal of classification as forest land, the assessor shall notify the owner in writing setting forth the reasons for such removal. The owner of such land shall thereupon have the right to apply for designation of such land as forest land pursuant to subsection (3) of this section or RCW 84.33.130 or to appeal such removal to the county board of equalization.

(6) Unless the owner successfully applies for designation of such land or unless the removal is reversed on appeal, notation of removal from classification shall immediately be made upon the assessment and tax rolls, and commencing on January 1 of the year following the year in which the assessor made such notation, such land shall be assessed on the same basis as real property is assessed generally in that county. Except as provided in subsection (8) of this section and unless the assessor shall not have mailed notice of classification pursuant to subsection (2) of this section, a compensating tax shall be imposed which shall be due and payable to the county treasurer on or before April 30 of the following year. On or before May 31 following such assessment date, the assessor shall compute the amount of such compensating tax and mail notice to the owner of the amount thereof and the date on which payment is due. The amount of such compensating tax shall be equal to:

(a) The difference, if any, between the amount of tax last levied on such land as forest land and an amount equal to the new assessed valuation of such land multiplied by the dollar rate of the last levy extended against such land, multiplied by

(b) A number, in no event greater than ten, equal to the number of years, commencing with assessment year 1975, for which such land was assessed and valued as classified forest land.

(7) Any compensating tax unpaid on its due date shall thereupon become delinquent and, together with applicable interest thereon, shall as of said date become a lien on such land which shall have priority to and shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility to or with which such land may become charged or liable. Such lien may be foreclosed upon expiration of the same period after delinquency and in the same manner provided by law for foreclosure of liens for delinquent real property taxes as provided in RCW 84.64.050. From the date of delinquency

until paid, interest shall be charged at the same rate applied by law to delinquent ad valorem property taxes.

(8) The compensating tax specified in subsection (6) of this section shall not be imposed if the removal of classification as forest land pursuant to subsection (4) of this section resulted solely from:

(a) Transfer to a government entity in exchange for other forest land located within the state of Washington;

(b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power;

(c) Sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in such land.

(9) With respect to any land that has been designated prior to the effective date of this amendatory act, pursuant to subsection (3) of RCW 84.33.120 or 84.33.130, the assessor may, prior to January 1, 1975, on his own motion or pursuant to petition by the owner, change, without imposition of the compensating tax provided under RCW 84.33.140, the status of such designated land to classified forest land.

Sec. 5. Section 13, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.130 are each amended to read as follows:

(1) An owner of land desiring that it be designated as forest land and valued pursuant to RCW 84.33.120 as of January 1 of any year commencing with 1972 shall make application to the county assessor before such January 1.

(2) The application shall be made upon forms prepared by the department of revenue and supplied by the county assessor, and shall include the following:

(a) A legal description of or assessor's tax lot numbers for all land the applicant desires to be designated as forest land;

(b) The date or dates of acquisition of such land;

(c) A brief description of the timber on such land, or if the timber has been harvested, the owner's plan for restocking;

(d) Whether there is a forest management plan for such land;

(e) If so, the nature and extent of implementation of such plan;

(f) Whether such land is used for grazing;

(g) Whether such land has been subdivided or a plat filed with respect thereto;

(h) Whether ((a permit for cutting on such land has been granted pursuant to RCW 76-08-030)) such land and the applicant are in compliance with the restocking, forest management, fire protection, insect and disease control and forest debris provisions of Title 76 RCW or any applicable regulations thereunder;

(i) Whether such land is subject to fire patrol assessments pursuant to RCW 76.04.360;

(j) Whether such land is subject to a lease, option or other right which permits it to be used for any purpose other than growing and harvesting timber;



(k) A summary of the past experience and activity of the applicant in growing and harvesting timber;

(l) A summary of current and continuing activity of the applicant in growing and harvesting timber;

(m) A statement that the applicant is aware of the potential tax liability involved when such land ceases to be designated as forest land;

(n) An affirmation that the statements contained in the application are true and that the land described in the application is, by itself or with other forest land not included in the application, in contiguous ownership of twenty or more acres which is primarily devoted to and used for growing and harvesting timber.

The assessor shall afford the applicant an opportunity to be heard if the application so requests.

(3) The assessor shall act upon the application with due regard to all relevant evidence and without any one or more items of evidence necessarily being determinative, except that the application may be denied for one of the following reasons, without regard to other items:

(a) The land does not contain either a 'merchantable stand of timber' or an 'adequate stocking' as defined in RCW 76.08.010, or any laws or regulations adopted to replace such minimum standards, except this reason (a) shall not alone be sufficient for denial of the application (i) if such land has been recently harvested or supports a growth of brush or noncommercial type timber, and the application includes a plan for restocking within three years or such longer period necessitated by unavailability of seed or seedlings, or (ii) if only isolated areas within such land do not meet such minimum standards due to rock outcroppings, swamps, unproductive soil or other natural conditions;

(b) The applicant, with respect to such land, has failed to comply with a final administrative or judicial order with respect to a violation of the restocking, forest management, fire protection, insect and disease control and forest debris provisions of Title 76 RCW or any applicable regulations thereunder;

(c) The land abuts a body of salt water and lies between the line of ordinary high tide and a line paralleling such ordinary high tide line and two hundred feet horizontally landward therefrom, except that if the higher and better use determined by the assessor to exist for such land would not be permitted or economically feasible by virtue of any federal, state or local law or regulation such land shall be assessed and valued pursuant to the procedures set forth in RCW 84.33.110 and subsections (1) and (2) of RCW 84.33.120 without being designated. The application shall be deemed to have been approved unless, prior to May 1, of the year after such application was mailed or delivered to the assessor, he shall notify the applicant in writing of the extent to which the application is denied.

(4) An owner who receives notice pursuant to subsection (3) of this section that his application has been denied may appeal such denial to the county board of equalization.

Sec. 6. Section 14, chapter 294, Laws of 1971 ex. sess. as amended by section 93, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.33.140 are each amended to read as follows:

(1) When land has been designated as forest land pursuant to subsection (3) of RCW 84.33.120 or 84.33.130, a notation of such designation shall be made each year upon the assessment and tax rolls, a copy of the notice of approval together with the legal description or assessor's tax lot numbers for such land shall, at the expense of the applicant, be filed by the assessor in the same manner as deeds are recorded, and such land shall be graded and valued pursuant to RCW 84.33.110 and 84.33.120 until removal of such designation by the assessor upon occurrence of any of the following:

(a) Receipt of notice from the owner to remove such designation;

(b) Passage of sixty days following the sale or transfer of such land to a new owner without receipt of an application pursuant to RCW 84.33.130 from the new owner;

(c) Sale or transfer to an ownership making such land exempt from ad valorem taxation;

(d) Determination by the assessor, after giving the owner written notice and an opportunity to be heard, that (i) such land is no longer primarily devoted to and used for growing and harvesting timber, (ii) such owner has failed to comply with a final administrative or judicial order with respect to a violation of the restocking, forest management, fire protection, insect and disease control and forest debris provisions of Title 76 RCW or any applicable regulations thereunder, or (iii) restocking has not occurred to the extent or within the time specified in the application for designation of such land.

Removal of designation upon occurrence of any of subsections (a) through (c) above shall apply only to the land affected, and upon occurrence of subsection (d) shall apply only to the actual area of land no longer primarily devoted to and used for growing and harvesting timber, without regard to other land that may have been included in the same application and approval for designation.

(2) Within thirty days after such removal of designation of forest land, the assessor shall notify the owner in writing, setting forth the reasons for such removal. The owner may appeal such removal to the county board of equalization.

(3) Unless the removal is reversed on appeal a copy of the notice of removal with notation of the action, if any, upon appeal, together with the legal description or assessor's tax lot numbers for the land removed from designation shall, at the expense of the applicant, be filed by the assessor in the same manner as deeds are recorded, and commencing on January 1 of the year following the year in which the assessor mailed such notice, such land shall be assessed on the same basis as real property is assessed generally in that county. Except as provided in subsection (5) of this section, a compensating tax shall be imposed which shall be due and payable to the county treasurer on or before April 30 of the following year. On or before May 31 following such assessment date, the

assessor shall compute the amount of such compensating tax and mail notice to the owner of the amount thereof and the date on which payment is due. The amount of such compensating tax shall be equal to:

(a) The difference between the amount of tax last levied on such land as forest land and an amount equal to the new assessed valuation of such land multiplied by the dollar rate of the last levy extended against such land, multiplied by

(b) A number, in no event greater than ten, equal to the number of years for which such land was designated as forest land.

(4) Any compensating tax unpaid on its due date shall thereupon become delinquent and together with applicable interest thereon, shall as of said date become a lien on such land which shall have priority to and shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility to or with which such land may become charged or liable. Such lien may be foreclosed upon expiration of the same period after delinquency and in the same manner provided by law for foreclosure of liens for delinquent real property taxes as provided in RCW 84.64.050. From the date of delinquency until paid, interest shall be charged at the same rate applied by law to delinquent ad valorem property taxes.

(5) The compensating tax specified in subsection (3) of this section shall not be imposed if the removal of designation pursuant to subsection (1) of this section resulted solely from:

(a) Transfer to a government entity in exchange for other forest land located within the state of Washington;

(b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power;

(c) Sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in such land.

Sec. 7. Section 10, chapter 146, Laws of 1967 ex. sess. as last amended by section 1, chapter 125, Laws of 1972 ex. sess. and RCW 84.40.045 are each amended to read as follows:

The assessor shall give notice of any change in the true and fair value of real property for the tract or lot of land and any improvements thereon no later than thirty days after appraisal: PROVIDED, That for appraisals made between December 1st and February 15th notice shall not be sent out prior to March 1st; PROVIDED FURTHER, That no notice need be sent with respect to changes in valuation of forest land made pursuant to chapter 84.33 RCW.

The notice shall contain a statement of both the prior and the new true and fair value and the ratio of the assessed value to the true and fair value on which the assessment of the property is based, stating separately land and improvement values, and a brief statement of the procedure for appeal to the board of equalization and the time, date, and place of the meetings of the board.

The notice shall be mailed by the assessor to the taxpayer.

If any taxpayer, as shown by the tax rolls, holds solely a security interest in the real property which is the subject of the notice, pursuant to a mortgage, contract of sale, or deed of trust, such taxpayer shall, upon written request of the assessor, supply, within thirty days of receipt of such request, to the assessor the name and address of the person making payments pursuant to the mortgage, contract of sale, or deed of trust, and thereafter such person shall also receive a copy of the notice provided for in this section. Wilful failure to comply with such request within the time limitation provided for herein shall make such taxpayer subject to a civil penalty of five dollars for each parcel of real property within the scope of the request in which it holds the security interest, the aggregate of such penalties in any one year not to exceed five thousand dollars. The penalties provided for herein shall be recoverable in an action by the county prosecutor, and when recovered shall be deposited in the county current expense fund. The assessor shall make the request provided for by this section during the month of January.

NEW SECTION. Sec. 8. There is added to chapter 294, Laws of 1971 ex. sess. and to chapter 84.33 RCW a new section to read as follows:

(1) The legislature shall review the system of distribution and allocation of all timber excise tax revenues in January, 1975 and each year thereafter to provide a uniform and equitable distribution and allocation of such revenues to the state and local taxing districts.

(2) In order to allow legislative review of the rules and regulations to be adopted by the department of revenue establishing the stumpage value index provided for in section 1 (3) of this 1974 amendatory act, such rules and regulations shall be effective not less than sixty days after transmitting to the staffs of the senate and house ways and means committees (or their successor committees) the same proposed rules and regulations as shall have been previously filed with the office of the code reviser pursuant to RCW 34.04.025 (1) (a).

(3) The ways and means committees of the house and senate, with the advice of the department of revenue, the department of natural resources, office of the superintendent of public instruction, county government, and affected landowners, shall review the yield tax rate and rate structure prior to December 31, 1978, and shall recommend modification of the rate and rate structure as necessary so that timber bears an equitable and proportionate tax share in conformance with the provisions of this chapter.

(4) The department of revenue and the department of natural resources shall make available to the revenue committees of the senate and house of representatives of the state legislature information and data, as it may be available, pertaining to the status of forest land grading throughout the state, the collection of timber excise tax revenues, the distribution and allocation of timber excise tax revenues to the state and local taxing districts, and any other information as may be necessary the proper legislative review and implementation of the timber excise

tax system, and in addition, the departments shall provide an annual report of such matters in January of each year to such committees.

NEW SECTION. Sec. 9. There is added to chapter 294, Laws of 1971 ex. sess. and to chapter 84.33 RCW a new section to read as follows:

After the department of natural resources has completed the design and outline of the grading program it shall hold public hearings for the purpose of advising interested persons of the department's program and soliciting comments on it. Such hearings shall be held prior to December 31, 1975 at no fewer than ten different locations within the state. A notice shall be published of each hearing in a newspaper of general circulation in each community where a hearing is scheduled. The notice shall state the time, place and purpose of the hearing. At such hearings the department shall explain the purpose of the program and its consequences to forest land owners and the standards, procedures and schedules it will follow in grading forest land.

NEW SECTION. Sec. 10. There is added to chapter 294, Laws of 1971 ex. sess. and to chapter 84.33 RCW a new section to read as follows:

The department of natural resources shall complete the grading of forest land on or before July 1, 1980. Within three months after the grading has been completed in each county, the department shall hold a public hearing in such county at which the forest land grades shall be described and explained. A notice shall be published of such hearing in one or more newspapers of general circulation in the county where the hearing is to be held. The notice shall state the time, place and purpose of the hearing. At the hearing the department shall explain the grades it has established for forest land within the county and shall provide maps of the county on which the established forest land grades are set forth for inspection by the public. Copies of such maps shall be provided to any person upon payment of the reasonable cost of production thereof.

NEW SECTION. Sec. 11. There is added to chapter 294, Laws of 1971 ex. sess. and to chapter 84.33 RCW a new section to read as follows:

Within sixty days following the hearing held pursuant to section 10 of this amendatory act, any owner of forest land may request a review by the department for the purpose of modifying the grades established for his land. The department shall conduct such review in the county where the land is located. The forest land owner shall have the right to reasonably present testimony and data in support of his contentions. Following such review, except as provided below in sections 14 and 16, the decision of the department shall be final.

NEW SECTION. Sec. 12. There is added to chapter 294, Laws of 1971 ex. sess. and to chapter 84.33 RCW a new section to read as follows:

Within three months following the hearing in each county held pursuant to section 10 of this amendatory act, the department of natural resources shall certify to the department of revenue the grades of all forest land in such county. If at that time the grade of any specific forest

land is under review or has not been determined following such review, its grade shall be certified when the review is completed. If any privately owned land not initially determined to be forest land is determined to be forest land subsequent to 1980, the grade of such land shall be certified to the department of revenue promptly after such determination.

NEW SECTION. Sec. 13. There is added to chapter 294, Laws of 1971 ex. sess. and to chapter 84.33 RCW a new section to read as follows:

The department of revenue shall certify to each county assessor the grades established for forest land within each respective county within twelve months after receiving the certificate from the department of natural resources pursuant to section 12 of this 1974 amendatory act or March 31, 1981, whichever is earlier.

NEW SECTION. Sec. 14. There is added to chapter 294, Laws of 1971 ex. sess. and to chapter 84.33 RCW a new section to read as follows:

(1) Within sixty days after the assessor has received certification pursuant to section 13 of this 1974 amendatory act of forest land grades within his county he shall mail a notice to each owner of forest land stating the number of acres of each grade of forest land included in any tax parcel to which the notice applies. Any such notice mailed prior to 1981 shall plainly advise the forest land owner that the grades established for his forest land will not be used as a basis for assessment of such forest land until in the assessment year 1981 for taxes payable in 1982.

(2) In addition to any other remedies provided by law, any owner who feels aggrieved by the forest land grade determined for any forest land owned by him may petition the county board of equalization for correction of such grade. The board shall have jurisdiction to review such petition and may grant or deny the relief requested. Such petition must be filed with the board on or before July 1 next succeeding the date of mailing any notice given pursuant to subsection (1) of this section. The filing of such petition shall not jeopardize the owner's right to petition the board pursuant to section 16 of this 1974 amendatory act.

NEW SECTION. Sec. 15. There is added to chapter 294, Laws of 1971 ex. sess. and to chapter 84.33 RCW a new section to read as follows:

As of January 1, 1981, and in each succeeding year each county assessor shall list the true and fair value of each parcel of classified or designated forest land according to the applicable grade values certified to him pursuant to RCW 84.33.120 and the applicable forest land grades certified pursuant to section 13 of this 1974 amendatory act.

NEW SECTION. Sec. 16. There is added to chapter 294, Laws of 1971 ex. sess. and to chapter 84.33 RCW a new section to read as follows:

(1) On or before May 31, 1981 each county assessor shall mail notice to each owner of forest land within his county stating the number of acres of each grade of forest land included in any tax parcel to which the notice applies

and the value established for each forest land grade and the total value of such tax parcel on which the assessment of such parcel is based.

(2) In addition to any other remedies provided by law, any owner who feels aggrieved by the valuation of any tax parcel owned by him may petition the county board of equalization for correction of such value. The board shall have jurisdiction to review such petitions and may grant or deny the requested relief.

NEW SECTION. Sec. 17. Section 18, chapter 294, Laws of 1971 ex. sess., section 7, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.180 are each hereby repealed.

NEW SECTION. Sec. 18. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 19. If any provision of this 1974 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

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

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present.

On motion of Mr. Chatalas, the House proceeded with business under the Call of the House.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be adoption of the amendment by Mr. Randall to Substitute House Bill No. 1185.

Mr. Benitz moved adoption of the following amendment to the Randall amendment by Representatives Benitz and Pardini:

On page 1, line 17 after "harvested" strike everything down to and including "inclusive" and insert "on or after October 1, 1974"

Mr. Benitz spoke in favor of the amendment, and Mr. Randall spoke against it.

Mr. Newhouse demanded an electric roll call and the demand was sustained.

Mr. Pardini spoke in favor of the amendment to the amendment, and Representatives Moon and Sommers spoke against it.

## POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Berentson.

Mr. Berentson: "Representative Pardini, is there anything in this measure that allows for a review of the tax rates?"

Mr. Pardini: "Mr. Berentson, if this amendment is adopted, which deletes the suicide date of 1978, I believe that section 8, page 22 of the amendment says 'The legislature shall review the system of distribution and allocation of all timber excise tax revenues in January, 1975 and each year thereafter to provide a uniform and equitable distribution and allocation of revenues to the state and local taxing districts.'"

Mr. Berentson: "In your opinion, then, some of the fears raised by the previous speaker are taken care of in these sections?"

Mr. Pardini: "I would assume that section 8 will remain intact in the bill, and on that basis there would be an annual review."

## ROLL CALL

The Clerk called the roll on the adoption of the amendment to the Randall amendment by Representatives Benitz and Pardini to Substitute House Bill No. 1185, and the amendment was not adopted by the following vote: Yeas, 45; nays, 53; not voting, 0.

Voting yea: Representatives Amen, Bagnariol, Barnes, Bausch, Benitz, Berentson, Bluechel, Brown, Charette, Conner, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Laughlin, Leckenby, Martinis, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson, Zimmerman.

Voting nay: Representatives Adams, Anderson, Bauer, Bender, Blair, Ceccarelli, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kuehnle, Luders, Lysen, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Mr. Benitz moved adoption of the following amendment to the Randall amendment:

On page 1, line 21 strike "six" and insert "five"

Mr. Benitz spoke in favor of the amendment to the amendment, and Mr. Goltz spoke against it.

The amendment to the amendment was not adopted.



Mr. Pardini moved adoption of the following amendment to the Randall amendment to Substitute House Bill No. 1185: On page 1, line 17 after "harvested" strike down to and including "one-half" on line 22 and insert "on or after October 1, 1974, the rate shall be ((determined and fixed by the first session of the legislature commencing on or after January 1, 1973; whether regular or extraordinary; in accordance with the purposes and intent of REW 84-33-180)) six"

Mr. Pardini spoke in favor of the amendment.

POINT OF ORDER

Mr. Moon: "Mr. Speaker, as I read Representative Pardini's amendment, it also strikes that part that we have already determined should not be stricken. It strikes that part that inserts the 1978 cut-off date. If this is true, I think then that his motion would be out of order."

With the consent of the House, Mr. Pardini withdrew his amendment to the Randall amendment.

Mr. Pardini moved adoption of the following amendment to the Randall amendment:

On page 1, line 21 after "six" strike "and one-half"

Mr. Pardini spoke in favor of the amendment to the amendment, and Mr. Ehlers spoke against it.

POINT OF PERSONAL PRIVILEGE

Mr. Benitz: "Speaking neither for nor against the amendment, I request the point of personal privilege for clarification for the body of the remarks of the previous speaker. The gentleman just finished speaking shows the confusion we have here. He is talking about land values; that is not the subject here. Land values are now assessed by the Department of Revenue and have been. We are talking about ad valorem tax on timber, and he has made the error which is not only made by him but by many of us. That is one of the very critical points. You are not to talk about land values, you are to talk about values on timber. This is the first straight error, the other--one of the real reasons that we are debating the timber tax bill here in this body today is because of eastern Pierce County and also one other county in the state in which the assessor chose to run the rate up so high that I personally looked at many places where widows were forced to cut their timber half mature in order to pay the back taxes and had that situation continued to expand we would have a much greater problem than we have in the state today."

Mr. Pardini spoke again in favor of the amendment to the amendment, and Representatives Randall and Sommers spoke against it.

The amendment was not adopted on a rising vote.

Mr. Pardini moved adoption of the following amendment to the Randall amendment to Substitute House Bill No. 1185: On page 1, line 23 strike all of subsection (d)

Mr. Pardini spoke in favor of the amendment to the amendment, and Mr. Conner spoke against it.

Mr. Pardini again spoke in favor of the amendment, and Representatives Haussler and Sommers spoke against it.

Mr. Conner demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Pardini to the Randall amendment to Substitute House Bill No. 1185, and the amendment was not adopted by the following vote: Yeas, 22; nays, 76; not voting, 0.

Voting yeas: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Curtis, Flanagan, Gilleland, Hayner, Julin, Kopet, Leckenby, Matthews, Morrison, Newhouse, Pardini, Paris, Polk, Rabel, Tilly.

Voting nays: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Nelson, North F., North L., O'Brien, Parker, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, Zimmerman, and Mr. Speaker.

#### MOTION

Mr. Flanagan moved that Substitute House Bill No. 1185 be rereferred to the Committee on Ways and Means - Appropriations.

Representatives Flanagan, Julin and Pardini spoke in favor of the motion, and Representatives Randall and Sommers spoke against it.

Mr. Flanagan spoke again in favor of his motion.

#### ADMONITION BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Representative Flanagan, the Speaker has been rather tolerant on this discussion on the motion you made to send Substitute House Bill No. 1185 back to committee, but according to our rules, it does not open the main question to debate. Of

course, the body has been discussing the main question. I would like you to hold your remarks to the motion."

Mr. Flanagan continued his remarks in favor of the motion.

The motion was not carried.

Mr. Cunningham moved adoption of the following amendment by Representatives Cunningham, Perry and Pardini to the Randall amendment:

On page 1, line 22 after "percent" and before the semicolon insert the following "": PROVIDED, That any timber harvested in the state which is subject to the tax imposed by this section and which is subsequently exported from the state after harvesting without processing shall be subject to a surtax in an amount equal to fifty percent of the rate established by this act"

Debate ensued, Representatives Cunningham and Perry speaking in favor of the amendment to the amendment, and Representatives Bausch, Bluechel and Zimmerman speaking against it.

Mr. Luders demanded the previous question, and the demand was sustained.

The amendment to the amendment was adopted on a rising vote.

On motion of Mr. Randall, the following amendment to the amendment was adopted:

On page 4, line 4 after "review" strike all the matter down to and including "finalization" on line 5 and insert "((by the forest tax committee established pursuant to REW 84:33-180 prior to finalization))"

#### MOTION

On motion of Mr. Charette, Mr. Anderson was excused from further business under the Call of the House.

On motion of Mr. Randall, the following amendments by Representatives Randall and Sommers to the Randall amendment were adopted:

Beginning on page 7, line 33 after "(4)" strike all material down to and including "manner:" on page 8, line 16 and insert the following:

"Subject to legislative appropriation, funds for activities undertaken by the department of revenue forest valuation section and by the department of natural resources relating to classification of lands as required by this chapter shall be allocated from the state timber reserve fund: PROVIDED, That within the 1973-75 biennium, the state treasurer shall transfer from the state timber reserve fund to the state general fund an amount equal to actual expenditures of the department of revenue in the administration of this statute no later than August 31, 1974 and August 31, 1975 for the fiscal year just

completed. When the transfer, if any, from the state timber tax fund A (pursuant to subsection (2) of this section) is implemented in August of 1974, any amount in excess of two million dollars in the state timber reserve fund, but not to exceed five million dollars, shall be distributed to the taxing districts which distribution shall be made in calendar year 1974 and in the following manner:"

On page 10, line 20 after "December" strike "31" and insert "15"

The Randall amendment as amended was adopted.

On motion of Mr. Randall, the following amendment to the title was adopted:

On line 1 of the title after "taxation" strike the remainder of the title and insert:

"of timber and forest lands; amending section 7, chapter 294, Laws of 1971 ex. sess. as amended by section 1, chapter 148, Laws of 1972 ex. sess. and RCW 82.04.291; amending section 8, chapter 294, Laws of 1971 ex. sess. as last amended by section 92, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.33.080; amending section 11, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.110; amending section 12, chapter 294, Laws of 1971 ex. sess. as amended by section 5, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.120; amending section 13, chapter 294, Laws of 1971 ex. sess. and RCW 84.33.130; amending section 14, chapter 294, Laws of 1971 ex. sess. as last amended by section 93, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.33.140; amending section 10, chapter 146, Laws of 1967 ex. sess. as last amended by section 1, chapter 125, Laws of 1972 ex. sess. and RCW 84.40.045; adding new sections to chapter 294, Laws of 1971 ex. sess. and to chapter 84.33 RCW; repealing section 18, chapter 294, Laws of 1971 ex. sess., section 7, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.180; and declaring an emergency."

Substitute House Bill No. 1185 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1185 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1185, and the bill passed the House by the following vote: Yeas, 55; nays, 42; not voting, 1.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bender, Blair, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kraabel, Luders, Lysen, Maxie, May, McCormick, North F., North L., O'Brien, Parker, Perry,

Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, Zimmerman, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bausch, Benitz, Berentson, Bluechel, Charette, Conner, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kuehnle, Laughlin, Leckenby, Martinis, Matthews, Moon, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson.

Not voting: Representative Anderson.

Engrossed Substitute House Bill No. 1185, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Charette, the balance of the bills remaining on today's calendar were ordered placed on tomorrow's calendar.

On motion of Mr. Pardini, Engrossed Substitute House Bill No. 1185 was ordered transmitted immediately to the Senate.

On motion of Mr. Charette, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

April 16, 1974

HOUSE BILL NO. 315, Prime sponsor: Representative Kilbury, setting policy for the efficient use of energy in the food and agricultural industries of the state, reported by Committee on Agriculture.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kilbury, Chairman; Laughlin, Vice Chairman; Charette, Hansen, Haussler, Tilly, Van Dyk.

To Committee on Rules for second reading.

April 16, 1974

HOUSE BILL NO. 1545, Prime sponsor: Representative Luders, renaming the Pollution Control Hearings Board to Environmental Hearings Board and replacing Shorelines Hearings Board, reported by Committee on Ecology.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Luders, Chairman; Valle, Vice Chairwoman; Bauer, Bluechel, Charnley, Douthwaite, Goltz, Hawkins, Kraabel, McCormick, North (Lois), Pullen, Smith, Wilson, Zimmerman.

To Committee on Rules for second reading.

MOTIONS

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

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

On motion of Mr. Charette, the House adjourned until 10:30 a.m., Wednesday, April 17, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Wednesday, April 17, 1974.

The House was called to order at 10:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Zimmerman who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Arthur I. Anderson of the Gloria Dei Lutheran Church of Olympia.

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

MESSAGE FROM THE SENATE

April 16, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3143,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 3143, by Senators Day and Donohue:

AN ACT Relating to public hospital districts; amending section 1, chapter 264, Laws of 1945 and RCW 70.44.005; amending section 6, chapter 264, Laws of 1945 as last amended by section 83, chapter 195, Laws of 1973 1st ex. sess. and RCW 70.44.060; amending section 12, chapter 264, Laws of 1945 as last amended by section 2, chapter 65, Laws of 1969 ex. sess. and RCW 70.44.110; amending section 3, chapter 227, Laws of 1967 and RCW 70.44.240; adding new sections to chapter 70.44 RCW; and declaring an emergency.

To Committee on Social and Health Services.

## REPORTS OF STANDING COMMITTEES

April 16, 1974

HOUSE BILL NO. 1270, Prime sponsor: Representative Wojahn, relating to gambling, reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Gallagher, Juelling, Leckenby, O'Brien, Randall.

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

To Committee on Rules for second reading.

April 16, 1974

HOUSE BILL NO. 1416, Prime sponsor: Representative Wojahn, relating to gambling, reported by Committee on Commerce.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Ceccarelli, Gallagher, Juelling, Kuehnle, Leckenby, O'Brien, Randall, Wilson.

To Committee on Rules for second reading.

## SECOND READING

HOUSE BILL NO. 1520, by Representatives Conner and Eikenberry:

Revising the usury laws with respect to business borrowing.

The bill was read the second time.

Committee on Financial Institutions recommendation: Majority, do pass as amended. (For amendments, see journal for seventeenth day, 3rd ex. sess., January 30, 1974.) On motion of Mr. Eikenberry, the committee amendments were adopted.

House Bill No. 1520 was ordered engrossed.

On motion of Mr. Chatalas, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1520 was placed on final passage.

Mr. Eikenberry spoke in favor of passage of the bill.



## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1520, and the bill passed the House by the following vote: Yeas, 64; nays, 27; not voting, 7.

Voting yea: Representatives Adams, Amen, Barnes, Benitz, Berentson, Blair, Chatalas, Conner, Cunningham, Curtis, Eikenberry, Ellis, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Schumaker, Shinpoch, Smith, Sommers, Tilly, Van Dyk, Wilson, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bauer, Bausch, Bender, Bluechel, Ceccarelli, Charette, Charnley, Clemente, Douthwaite, Ehlers, Eng, Erickson, Goltz, Hawkins, Jastad, Johnson, Knowles, Lysen, Maxie, Moon, Savage, Thompson, Valle, Warnke, Williams, Wojahn.

Not voting: Representatives Anderson, Brown, Gaspard, Luders, Parker, Winsley, Zimmerman.

Engrossed House Bill No. 1520, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3044, by Senator Grant:

Providing for mandatory dates for holding certain elections.

The bill was read the second time.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendments, see Journal for twenty-fifth day, 3rd ex. sess., February 7, 1974.)

Mr. King moved that the House do not adopt the committee amendments.

Mr. King spoke in favor of the motion, and Mr. Barnes spoke against it.

Mr. Barnes moved that the House adopt the committee amendments.

Mr. King spoke against the motion, and Mrs. Hayner spoke in favor of it.

Mr. Thompson demanded an electric roll call, and the demand was sustained.

Representatives Newhouse and Julin spoke in favor of the motion to adopt the committee amendments, and Representatives Perry and King spoke against the motion.

ROLL CALL

The Clerk called the roll on the motion by Mr. Barnes that the House adopt the committee amendments to Engrossed Senate Bill No. 3044, and the motion failed to pass by the following vote: Yeas, 39; nays, 52; not voting, 7.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jueling, Julin, Kishimoto, Kopet, Kraabel, Kuehne, Matthews, Morrison, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Goltz, Hansen, Haussler, Hawkins, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Conner, Gaspard, Leckenby, Luders, Nelson, Zimmerman.

Mr. King moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 29.13.010, chapter 9, Laws of 1965 as last amended by section 1, chapter 36, Laws of 1973 2nd ex. sess. and RCW 29.13.010 are each amended to read as follows:

All state, county, city, town, and district general elections for the election of federal, state, legislative, judicial, county, city, town, district, and precinct officers, and for the submission to the voters of the state, county, city, town, or district of any measure for their adoption and approval or rejection, shall be held on the first Tuesday after the first Monday of November, in the year in which they may be called. A state-wide general election shall be held on the first Tuesday after the first Monday of November of each year: PROVIDED, That the state-wide general election held in odd-numbered years shall be limited to (1) city, town, and district general elections as provided for in RCW 29.13.020, or as otherwise provided by law; (2) the election of federal officers for the remainder of any unexpired terms in the membership of either branch of the congress of the United States; (3) the election of state and county officers for the remainder of any unexpired terms as provided for in Article II, section 15, Article III, section 10, and Article IV, sections 3 and 5 of the state Constitution and RCW 2.06.080; (4) the election of county officers in any county governed by a charter containing provisions calling for general county elections at this time; and (5) the

approval or rejection of state measures, including proposed constitutional amendments, matters pertaining to any proposed constitutional convention, initiative measures, and referendum measures proposed by the electorate, referendum bills, and any other matter provided by the legislature for submission to the electorate: PROVIDED FURTHER, That this section shall not be construed as fixing the time for holding primary elections, or elections for the recall of county, city, town, or district officers: PROVIDED HOWEVER, That the ((board of county commissioners)) county legislative authority may, if they deem an emergency to exist, call a special county election ((at any time)) by presenting a resolution to the county auditor at least forty-five days prior to the proposed election date. A special election called by the county legislative authority shall be held on one of the following dates as decided by such governing body:

(1) The first Tuesday after the first Monday in February;

(2) The last Tuesday in March;

(3) The third Tuesday in September in even numbered years, or the second Tuesday in September in odd numbered years;

(4) The first Tuesday after the first Monday in November; or

(5) In addition to all the above, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from fire, flood, earthquake or other act of God.

Such county special election shall be noticed and conducted in the manner provided by law. This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections.

Sec. 2. Section 29.13.020, chapter 9, Laws of 1965 as amended by section 3, chapter 123, Laws of 1965 and RCW 29.13.020 are each amended to read as follows:

All city, town, and district general elections, except as hereinafter provided, shall be held throughout the state of Washington on the first Tuesday following the first Monday in November in the odd-numbered years: PROVIDED, That there shall be no general city or town elections held under the provisions of the 1963 elections act as amended until 1967, and the positions that would have been voted upon in the year 1966, except for the provisions of the 1963 elections act as amended, shall be voted upon at the general election to be held on the first Tuesday following the first Monday in November in the year 1967 and each two years thereafter. All city and town elections to be held in 1964 under existing law shall be conducted as though the provisions of the 1963 elections act had not been enacted. All city and town officers elected in 1964 shall remain in office for their regular term and until their successors are elected and qualified under the provisions of the 1963 elections act.

There shall be no regular district elections held in the years 1964, 1966, 1968, and 1970, and the positions

that would have been voted upon, except for the provisions of the 1963 elections act as amended, in the years 1964, 1966, 1968, and 1970 shall be voted upon at the general elections to be held on the first Tuesday following the first Monday in November in the years 1965, 1967, 1969, and 1971, respectively and each two years thereafter.

There shall be no regular school district elections held on the second Tuesday in March in the years 1965, 1967, and 1969 and the positions that would have been voted upon, except for the provisions of the 1963 elections act as amended, shall be voted upon at the general elections to be held on the first Tuesday following the first Monday in November in the years 1965, 1967, and 1969 respectively and each two years thereafter.

The purpose of this section is to change the time of holding all general city, town, and district elections to a common election date, throughout the state of Washington being the first Tuesday following the first Monday in November of the odd-numbered years.

All incumbent city, town, or district officers whose terms would have expired, except for the provisions of the 1963 elections act as amended, shall remain in office until their successors are elected and qualified.

This section shall not apply to:

(1) Elections for the recall of city, town, or district officers,

(2) Public utility districts, or district elections whereat the ownership of property within said districts is a prerequisite to voting, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto.

The county auditor, as ex officio supervisor of elections, upon request in the form of a resolution of the governing body of a city, town or district, presented to him at least forty-five days prior to the proposed election date, may, if he deems an emergency to exist, call a special election ((at any time)) in such city, town, or district and for the purpose of such special election he may combine, unite or divide precincts. A special election called by such governing body shall be held on one of the following dates as decided by the governing body:

(a) The first Tuesday after the first Monday in February;

(b) The last Tuesday in March;

(c) The third Tuesday in September in even numbered years, or the second Tuesday in September in odd numbered years;

(d) The first Tuesday after the first Monday in November; or

(e) In addition to all the above, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from fire, flood, earthquake or other act of God.

Such special election shall be conducted and notice thereof given in the manner provided by law. This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district

elections, the purpose of this section being to establish mandatory dates for holding elections.

Sec. 3. Section 29.13.070, chapter 9, Laws of 1965 as amended by section 6, chapter 103, Laws of 1965 ex. sess. and RCW 29.13.070 are each amended to read as follows:

Nominating primaries for general elections to be held in November shall be held at the regular polling places in each precinct on the third Tuesday of the preceding September in each even-numbered year and on the second Tuesday of the preceding September in each odd-numbered year.

Sec. 4. Section 29.21.010, chapter 9, Laws of 1965 as amended by section 7, chapter 123, Laws of 1965 and RCW 29.21.010 are each amended to read as follows:

All (~~primaries for all~~) cities (~~of the first, second and third class;~~) and towns shall hold primary elections irrespective of type or form of government and which shall be nonpartisan and held as provided in RCW 29.13.070 as now or hereafter amended.

All districts, except those districts which require ownership of property within said districts as a prerequisite to voting, shall hold primary elections which shall be nonpartisan and held as provided in RCW 29.13.070 as now or hereafter amended.

All names of candidates to be voted upon at city, town, and such district primary elections shall be printed upon the official primary ballot alphabetically in groups under the designation of the respective titles of the offices for which they are candidates. The name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes for each position, shall appear in that order on the (~~municipal~~) city, town, or district general election ballot concerned under the designation for each respective office. In the event there are two or more offices to be filled for the same position, then names of candidates receiving the highest number of votes equal in number to twice the offices to be filled shall appear on the (~~municipal~~) city, town, or district general election ballot so that the voter shall have a choice of two candidates for each position: PROVIDED, That no name of any candidate shall appear on the city, town or district general election ballot unless said candidate shall receive at least (~~ten~~) five percent of the total votes cast for that office. The sequence of names of candidates printed on the (~~municipal~~) city, town, or district general election ballot shall be in relation to the number of votes each candidate received at the primary. Names of candidates printed upon the (~~municipal~~) city, town, or district primary and general election ballot need not be rotated.

The purpose of this section is to establish the holding of a primary election, subject to the exemptions as contained in RCW 29.21.015 as now or hereafter amended, as a uniform procedural requirement to the holding of city, town, and district elections and such provisions shall supersede any and all other statutes, whether general or special in nature, having different election requirements.

Sec. 5. Section 29.21.015, chapter 9, Laws of 1965 and RCW 29.21.015 are each amended to read as follows:

No primary election shall be held for any single position in any city, town, or district as required by RCW 29.21.010 as now or hereafter amended if, after the last day allowed for candidates to withdraw, there are no more than two candidates filed for ~~((each))~~ the position to be filled; PROVIDED, That whenever it shall be necessary to hold a primary election for any one such position because of the number of candidates remaining filed, no primary election shall be held for any other position for which no more than two candidates have remained as filed. ((In such event)) Insofar as such positions not being subjected to a primary election are concerned, the ~~((city clerk))~~ county auditor shall ~~((immediately notify all candidates concerned and if the county auditor has jurisdiction of such primary election; he shall also be notified))~~ as soon as possible notify all the candidates so affected. Names of candidates that would have been printed upon the ~~((city))~~ primary ballot, but for the provisions of this section, shall be printed upon the ~~((city))~~ general election ballot alphabetically in groups under the designation of the respective titles of the offices for which they are candidates.

Sec. 6. Section 29.21.060, chapter 9, Laws of 1965 as last amended by section 56, chapter 283, Laws of 1969 ex. sess. and RCW 29.21.060 are each amended to read as follows:

All candidates for offices to be voted on at any election in first, second, and third class cities and fourth class municipalities (towns) shall file declarations of candidacy with the clerk thereof not earlier than the last Monday of July nor later than the next succeeding Friday in the year such regular city and town elections are held.

All candidates for district offices ~~((in port districts; which are located in class AA and class A counties; and first class school districts;))~~ subject to the provisions of RCW 29.21.010 as now or hereafter amended shall file their declarations of candidacy with the county auditor of the county not earlier than the last Monday of July nor later than the next succeeding Friday in the year such regular district elections are held.

~~((All candidates for district offices not subject to a primary election; other than irrigation districts; shall file declarations of candidacy not more than sixty nor less than forty-six days prior to the date of the election with the appropriate county auditor: PROVIDED, That))~~ In the case of public utility districts, and in no other, ~~((nominations shall be made by means of))~~ nominating petitions containing the necessary number of signatures as provided by RCW 54.12.010 shall accompany each such declaration of candidacy at the time of so filing: PROVIDED ((FURTHER)), That this chapter shall not change the method of nomination for first district officers at the formation of ((the)) any district.

Any candidate for city, town, or district offices may withdraw his declaration at any time to and including the first Wednesday after the last day allowed for filing declarations of candidacy.

The city and town clerks in all counties shall transmit to their county auditors at least thirty-five days before the date fixed for the primary, a certified list of the names and addresses of the candidates to be voted on thereat as represented by the declarations of candidacy filed in their offices.

All candidates required to file declarations of candidacy shall pay the same fees and be governed by the same rules as contained in RCW 29.18.030 ((, 29.48.035, and 29.48.060)) through 29.18.100: PROVIDED, That no filing fee shall be charged in the event that the office sought is without a fixed annual salary.

This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for filing declarations of candidacy for such city, town, and district elections, the purpose of this section being to establish a uniform five day period throughout the state of Washington for filing declarations of candidacy.

Sec. 7. Section 29.21.140, chapter 9, Laws of 1965 and RCW 29.21.140 are each amended to read as follows:

If at the same election there are ((long terms and)) short terms or full terms and unexpired terms of office to be filled, the city or town clerk, the secretary of state or the county auditor, as the case may be, shall distinguish them and designate the short term, ((the long term)) the full term and the unexpired term ((separately as such)) or by use of the words "unexpired two year term" or "four year term" as the case may be.

In filing his declaration of candidacy in such cases the candidate shall specify that his candidacy is for the short term, ((the long term)) the full term or the unexpired term as the case may be: PROVIDED, That when both a short term and a full term for the same position is scheduled to be voted upon, a single declaration of candidacy accompanied by a single filing fee shall be construed as a filing for both the short term and the full term and the name of such candidate shall appear upon the ballot for the position sought with the designation "short term and long term". The candidate elected to both such terms shall be sworn into and assume office for the short term as soon as the election returns have been certified and shall again be sworn into office on the second Monday in January following the election to assume office for the full term.

Sec. 8. Section 1, chapter 10, Laws of 1970 ex. sess. and RCW 29.21.150 are each amended to read as follows:

The name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes at the primary for a single nonpartisan position shall appear on the general election ballot under the designation therefor: PROVIDED, That in elections for ((justices of the supreme court; judges of the court of appeals and)) judges of the superior court, ((for justices of the peace)) and for state superintendent of public instruction, ((and for directors of first class school districts)) if any candidate in the primary receives a majority of all the votes cast for the position, only the name of the person receiving the highest vote shall be

printed on the general election ballot under the designation for that position, followed by a space for the writing in of any other name by a voter((: PROVIDED FURTHER; That the provisions of Article IV, Section 29 of the Washington Constitution shall apply to offices of judges of the court of appeals)).

Sec. 9. Section 29.21.160, chapter 9, Laws of 1965 and RCW 29.21.160 are each amended to read as follows:

If there are two or more places to be filled for nonpartisan office, the number of candidates equalling the number of positions to be filled who receive the highest number of votes at the primary and an equal number who receive the next highest number of votes shall appear under the designation for that office((: PROVIDED; That the names of any candidates therefor who receive a majority of all of the votes cast at the primary for that office, shall be printed separately as candidates for that office under the designation "Vote for : : : : : " followed by blank spaces equaling the number of such majority candidates for the writing in of any other name by a voter)).

Sec. 10. Section 29.21.230, chapter 9, Laws of 1965 as last amended by section 9, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.230 are each amended to read as follows:

Except for school districts of the first class having an enrollment of fifty thousand pupils or more in class AA counties, the name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes at the primary for a school district position of school director for school districts embracing a city of over one hundred thousand population shall appear on the general election ballot under the designations therefor((: PROVIDED; That if any candidate for a position receives a majority vote, his name alone shall be placed on the general election ballot for that position)).

Sec. 11. Section 35.20.150, chapter 7, Laws of 1965 and RCW 35.20.150 are each amended to read as follows:

The municipal judges shall be elected on the first Tuesday after the first Monday in November, 1958, and on the first Tuesday after the first Monday of November every fourth year thereafter by the electorate of the city in which the court is located. The auditor of the county concerned shall designate by number each position to be filled in the municipal court, and each candidate at the time of the filing of his declaration of candidacy shall designate by number so assigned the position for which he is a candidate, and the name of such candidate shall appear on the ballot only for such position. The name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes at the primary for a single nonpartisan position shall appear on the general election ballot under the designation therefor((: PROVIDED; That if any candidate in the primary receives a majority of all of the votes cast for the position, only the name of the person receiving the highest vote shall be printed on the general election ballot under the designation for that position, followed by a space for the writing in of any other name by a voter)). Elections



for municipal judge shall be nonpartisan. They shall hold office for a term of four years and until their successors are elected and qualified. The term of office shall start on the second Monday in January following such election. Any vacancy in the municipal court due to a death, disability or resignation of a municipal court judge shall be filled by the mayor, to serve out the unexpired term. Such appointment shall be subject to confirmation by the legislative body of the city.

Sec. 12. Section 14, chapter 299, Laws of 1961 and RCW 3.34.050 are each amended to read as follows:

At the general election in November, 1962 and quadrennially thereafter, there shall be elected by the voters of each justice court district the number of justices of the peace authorized for such district by the justice court districting plan. Justices of the peace shall be elected for each district by the qualified electors of the justice court district in the same manner as judges of courts of record are elected. Not less than ten days before the time for filing declarations of candidacy for the election of justices of the peace for justice court districts entitled to more than one justice of the peace, the county auditor shall designate each such office of justice of the peace to be filled by a number, commencing with the number one and numbering the remaining offices consecutively. Each candidate at the time of the filing of his declaration of candidacy shall designate by number which one, and only one, of the numbered offices for which he is a candidate and the name of such candidate shall appear on the ballot for only the numbered office for which the candidate filed his declaration of candidacy.

((In all elections for justices of the peace, if any candidate in the primary receives a majority of all of the votes cast for the position, only the name of the person receiving the highest vote shall be printed on the general election ballot under the designation for that position, followed by a space for the writing in of any other name by a voter.))

Sec. 13. Section 2, chapter 61, Laws of 1972 ex. sess. and RCW 29.21.360 are each amended to read as follows:

Filings for a nonpartisan office shall be opened for a period of three normal business days, such three day period to be fixed by the election officer with whom such declarations of candidacy are filed and notice thereof given by notifying press, radio, and television in the county and by such other means as may now or hereafter be provided by law whenever before the fourth Tuesday prior to a primary:

- (1) A void in candidacy occurs;
- (2) A vacancy occurs in any nonpartisan office leaving an unexpired term to be filled by an election for which filings have not been held; or
- (3) A nominee for judge ((of the court of appeals or)) of the superior court entitled to a certificate of election pursuant to Article 4, section 29, Amendment 41 of the state Constitution, dies or is disqualified.

Candidacies validly filed within said three-day period shall appear on the ballot as if made during the earlier filing period.

Sec. 14. Section 3, chapter 61, Laws of 1972 ex. sess. and RCW 29.21.370 are each amended to read as follows:

Filings for a nonpartisan office (other than judge of the supreme court or superintendent of public instruction) shall be reopened for a period of three normal business days, such three day period to be fixed by the election officer with whom such declarations of candidacy are filed and notice thereof given by notifying press, radio, and television in the county and by such other means as may now or hereafter be provided by law, when:

(1) A void in candidacy for such nonpartisan office occurs on or after the fourth Tuesday prior to a primary but prior to the fourth Tuesday before an election; or

(2) A nominee for judge ((of the court of appeals or)) of the superior court eligible after a contested primary for a certificate of election by Article 4, section 29, Amendment 41 of the state Constitution, dies or is disqualified within the ten day period when a petition for write-in candidacy may be received;

(3) A vacancy occurs in any nonpartisan office on or after the fourth Tuesday prior to a primary but prior to the fourth Tuesday before an election leaving an unexpired term to be filled by an election for which filings have not been held.

The candidate receiving a plurality of the votes cast for that office in the general election shall be deemed elected.

Sec. 15. Section 4, chapter 61, Laws of 1972 ex. sess. and RCW 29.21.380 are each amended to read as follows:

A scheduled election shall be lapsed, the office deemed stricken from the ballot, no purported write-in votes counted, and no candidate certified as elected, when:

(1) In an election for judge of the supreme court or superintendent of public instruction, a void in candidacy occurs on or after the fourth Tuesday prior to a primary, public filings and the primary being an indispensable phase of the election process for such offices;

(2) Except as otherwise specified in RCW 29.21.370 as now or hereafter amended, a nominee for judge ((of the court of appeals or)) of the superior court entitled to a certificate of election pursuant to Article 4, section 29, Amendment 41 of the state Constitution dies or is disqualified on or after the fourth Tuesday prior to a primary;

(3) In other elections for nonpartisan office a void in candidacy occurs or a vacancy occurs involving an unexpired term to be filled on or after the fourth Tuesday prior to an election.

NEW SECTION. Sec. 16. There is added to chapter 29.21 RCW a new section to read as follows:

If, after the last day provided by law for the withdrawal of declarations of candidacy has expired, only one candidate has filed for any single city, town, or district position to be filled, no election shall be held as to such position and a certificate of election shall be issued to such candidate at such time such certificates are normally issued.

If after both the normal filing period and special three day filing period as provided by RCW 29.21.360 and

29.21.370 as now or hereafter amended have passed and still no candidate has filed for any single city, town, or district position to be filled, the election for such position shall be deemed lapsed, the office deemed stricken from the ballot and no write-in votes counted. In such instance, the incumbent occupying such position shall remain in office and continue to serve until his successor is elected at the next election when such positions are voted upon as provided by RCW 29.21.410 as now or hereafter amended.

NEW SECTION. Sec. 17. There is added to chapter 29.01 RCW a new section to read as follows:

"Short term" means the brief period of time starting upon the completion of the certification of election returns and ending with the start of the full term on the second Tuesday of the next January immediately following the election and is applicable only when the office concerned is being held by an appointee to fill a vacancy which occurred after the last previous election at which such office could have been voted upon for an unexpired term.

NEW SECTION. Sec. 18. Section 29.21.170, chapter 9, Laws of 1965 and RCW 29.21.170 are each hereby repealed.

NEW SECTION. Sec. 19. There is added to chapter 9, Laws of 1965 and to chapter 29.18 RCW a new section to read as follows:

The name of no candidate shall be printed upon the official ballot used at a state primary unless, not earlier than the last Monday of July nor later than the next succeeding Friday, a declaration of candidacy is filed in the form hereinafter set forth:

DECLARATION AND AFFIDAVIT OF CANDIDACY

State of Washington)

) ss.

County of.....)

DECLARATION

I,....., declare upon honor that I am a registered voter residing at No. ....street,.....(city or town of).....(county of)....., state of Washington, and am legally qualified to assume office if elected; that I hereby declare myself a candidate for nomination to the office of.....or position No. ....for the office of.....(fill in whichever blank is applicable) to be made at the primary election to be held on the.....day of....., and hereby request that my name be printed upon the official primary ballots, as provided by law, as a candidate of the (do not fill this in if office sought is nonpartisan).....party, and:

[ ] I accompany herewith the sum of.....dollars, the fee required by law of me for becoming a candidate; or

[ ] I am without sufficient assets or income to pay the fee required by law.

AFFIDAVIT

FURTHER, I the undersigned candidate for election to public office in the United States of America and the State of Washington, hereby endorse, subscribe to, and solemnly pledge myself to conduct my campaigns in accordance with

the following provisions, principles and practices and do solemnly swear or affirm that I am familiar with the provisions of the election reform act of 1974 and shall abide by the same.

I shall conduct my campaign in the best American tradition, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponent and his party which merit such criticism.

I shall defend and uphold the right of every qualified American voter to full and equal participation in the electoral process.

I shall condemn the use of personal vilification, character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his personal or family life.

I shall condemn the use of campaign material of any sort which misrepresents, distorts, or otherwise falsifies the facts regarding any candidate, as well as the use of malicious or unfounded accusations against any candidate which aim at creating or exploiting doubts, without justification, as to his loyalty and patriotism.

I shall condemn any appeal to prejudice based on race or national origin.

I shall condemn any dishonest or unethical practice which tends to corrupt or undermine our American system of free elections or which hampers or prevents the full and free expression of the will of the voters.

.....	.....
(Please print name to assure correct spelling)	(Signature of candidate as name is to appear upon ballot)
Subscribed and sworn to before me this.....day of .....,19.....	
.....	(signature of official)
.....	(Official title)

Sec. 20. Section 29.18.050, chapter 9, Laws of 1965 and RCW 29.18.050 are each amended to read as follows:

Except as otherwise provided in section 19 of this amendatory act, a fee of one dollar must accompany each declaration of candidacy for a precinct office without salary; a fee of ten dollars must accompany each declaration of candidacy for any office with a compensation attached of one thousand dollars per annum or less; a fee equal to one percent of the current annual compensation must accompany each declaration of candidacy for any office with a compensation attached of more than one thousand dollars per annum.

When the candidacy is for:

(1) A state or congressional office the fee shall be paid to the secretary of state for deposit in the state treasury.

(2) A district office embracing more than one county the fee shall be paid to the secretary of state for equal division between the treasuries of the counties comprising the district.

(3) A county office or office for a district comprising part of one county the fee shall be paid to the county auditor for deposit in the county treasury.

(4) A city or town office the fee shall be paid to the clerk thereof for the city or town treasury.

Sec. 21. Section 29.24.070, chapter 9, Laws of 1965 and RCW 29.24.070 are each amended to read as follows:

If the nominating certificate is valid, each candidate nominated by a minor party convention may file with the secretary of state a declaration of candidacy as nearly as possible in the form prescribed for candidates subject to primary election, and, except as otherwise in section 19 of this amendatory act provided, each candidate must at the time of filing such declaration pay to the secretary of state the fee prescribed by law for candidates subject to primary election.

Except as otherwise provided in section 19 of this amendatory act, the name of a candidate nominated at a minor party convention shall be printed upon the election ballot unless he pays the fee required by law to be paid by candidates for the same office to be nominated at a primary election.

Sec. 22. Section 29.51.170, chapter 9, Laws of 1965 as last amended by section 1, chapter 121, Laws of 1973 1st ex. sess. and RCW 29.51.170 are each amended to read as follows:

At any election or primary, any voter may write in on the ballot the name of any person for whom he desires to vote for any office and such vote shall be counted the same as if the name had been printed on the ballot and marked by the voter: PROVIDED, That no write-in vote for a partisan office at a general election shall be valid for any person who has offered himself as a candidate for such position for the nomination at the preceding primary: PROVIDED, FURTHER, That when voting machines or voting devices and ballot cards are used, no write-in vote for any candidate for a partisan office at either a state primary election or state general election shall be valid unless a political party affiliation is also written by the voter after the candidate's name: AND PROVIDED FURTHER, That in the instance of a write-in candidate for a partisan office only those write-in votes constituting the greatest number of a single political party designation shall be valid for counting purposes when the canvassing authority certifies the official election returns. The same procedure must be followed when paper ballots are used for partisan offices at a state primary election. For such write-in voting, it shall not be necessary for a voter to write the full name of the political party concerned. Any abbreviation including the first letter of the political party name shall be acceptable as long as the precinct election officers can determine to their satisfaction the person voted for and the political party intended.

Any person who is nominated at any primary election as a write-in candidate for any public office but who has not previously paid the regular filing fee shall not have his name printed on the official ballot for the general election unless, within five days after the official canvass of the primary vote, he executes a declaration of

candidacy and except as otherwise in section 19 of this act provided, pays the same fee required by law to be paid by candidates for filing for the office for which he has been nominated.

NEW SECTION. Sec. 23. There is added to chapter 9, Laws of 1965 ex. sess. and to chapter 29.18 RCW a new section to read as follows:

Any candidate may in writing withdraw his declaration at any time to and including the first Wednesday after the last day allowed for filing declarations of candidacy. Should the candidate desire to mail his declaration of withdrawal it shall be honored if the instrument is postmarked no later than the last day allowed for withdrawals. There shall be no refund of the filing fee.

NEW SECTION. Sec. 24. The following acts or parts thereof are hereby repealed:

(1) Section 16, chapter 254, Laws of 1951 and RCW 9.81.100;

(2) Section 29.24.110, chapter 9, Laws of 1951 and RCW 29.24.110; and

(3) Section 29.18.030, chapter 9, Laws of 1965 as amended by section 1, chapter 103, Laws of 1965 ex. sess. and RCW 29.18.030.

NEW SECTION. Sec. 25. If any provision of this amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 26. Sections 19 through 26 are necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Mr. Kraabel moved adoption of the following amendment to the amendment by Representatives Kraabel, Nelson, Blair, Goltz, Charnley and Pullen:

On page 1, line 4 insert a new section to read as follows:

"NEW SECTION. Section 1. There is added to chapter 9, Laws of 1965 and to chapter 29.04 RCW a new section to read as follows:

Notwithstanding the provisions of chapter 9, Laws of 1965 and Title 29 RCW, or any other provision of law, no ballot, voting machine, ballot card, voting device or vote tally system shall be utilized at the general election for 1977 or for any primary or general election thereafter, which shall not make available in duplicate a record of the number of votes cast for and against each proposition in such voting place, the total votes cast for each candidate in such voting place, and the total number of all ballots cast at such voting place. Precinct election officials shall be responsible to see to the posting of the results in a manner which permits public viewing after the closure of the polling place, in the vicinity of the polling place, prior to said removal of any such ballots, voting machine printed election returns or ballot cards from the polling place, and one of such election officials shall maintain one copy of the above results in his possession for a

period of at least thirty days following the election; and upon failure of the above responsibilities by any election official, said official, shall be deemed guilty of a misdemeanor and shall be punished accordingly."

Renumber the remaining sections consecutively.

Representatives Kraabel, Blair and Eikenberry spoke in favor of the amendment to the King amendment, and Representatives King and Brown spoke against it.

Mr. Pardini demanded an electric roll call, and the demand was sustained.

Representatives Kraabel, Hurley and Freeman spoke in favor of the amendment to the amendment, and Mr. Smith spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Kraabel and others to the amendment by Representative King to Engrossed Senate Bill No. 3044, and the amendment was adopted by the following vote: Yeas, 54; nays, 41; not voting, 3.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Charnley, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Flanagan, Freeman, Gaines, Garrett, Gaspard, Gilleland, Goltz, Hansey, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Lysen, Matthews, May, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Valle, Williams, Wilson, Winsley.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ellis, Eng, Erickson, Fortson, Gallagher, Hansen, Haussler, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, McCormick, Moon, O'Brien, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Thompson, Zimmerman.

Mr. Hoggins moved adoption of the following amendment by Representatives Hoggins, Fortson, North (Frances) and Brown to the amendment by Representative King to Engrossed Senate Bill No. 3044.

On page 2, line 11 after "date" insert ": PROVIDED FURTHER, That notwithstanding any other provision of law nothing shall prohibit the name of a candidate for the office of United States Senator from appearing more than once upon a ballot"

#### POINT OF ORDER

Mr. King: "The amendment is not germane to the section."

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

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Zimmerman who was excused.

With the consent of the House, Mr. King withdrew his point of order.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representatives Hoggins, Fortson, North (Frances) and Brown to the amendment by Representative King to Engrossed Senate Bill No. 3044.

Mr. Hoggins spoke in favor of the amendment.

POINT OF ORDER

Mr. Pardini: "Mr. Hoggins is drawing the conclusion that his amendment is going to be voted down and there is another amendment behind it. He is not staying with the subject matter before us."

The Speaker (Mr. O'Brien presiding): "Your point is well taken, Mr. Pardini. Mr. Hoggins has a defeatist attitude and that is not right, either."

Mr. Hoggins continued his remarks in favor of the amendment, and Mr. King spoke against it.

Mr. Van Dyk demanded an electric roll call and the demand was sustained.

Mr. Hoggins spoke again in favor of the amendment, and Mr. Charnley spoke against it.

ROLL CALL

The Clerk called the roll on the amendment by Representative Hoggins and others to the amendment by



Representative King to Engrossed Senate Bill No. 3044, and the amendment was not adopted by the following vote: Yeas, 10; nays, 82; not voting, 6.

Voting yea: Representatives Barnes, Blair, Brown, Gilleland, Hoggins, Jueling, Julin, Kopet, Nelson, Pardini.

Voting nay: Representatives Adams, Amen, Bagnariol, Bausch, Bender, Benitz, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Kilbury, King, Kishimoto, Knowles, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Bauer, Berentson, Kalich, Kuehne, Zimmerman.

Mrs. Fortson moved adoption of the following amendment by Representatives Fortson, Perry, Parker, North (Frances) and Chatalas to the amendment by Representative King to Engrossed Senate Bill No. 3044:

On page 2, line 11 after "date" insert "PROVIDED FURTHER, That notwithstanding any other provision of law nothing shall prohibit the name of a candidate for the office of president or vice president of the United States from appearing more than once upon a ballot"

#### PARLIAMENTARY INQUIRY

Mr. Pardini: "Mr. Speaker, I have an amendment on the desk dealing with basically the same subject. However, it does add to 'president and vice president' the words 'U. S. Senator.' It appears to me that my amendment should be treated before Representative Fortson's amendment. My reasoning is that if Representative Fortson's amendment is adopted then I probably will have a point of order raised as to whether we have previously considered this section (as Mr. Moon suggested yesterday) and my amendment would be then out of order. I believe that my amendment covering all three subject matters should be placed before the body before Representative Fortson's amendment."

#### POINT OF ORDER

Mr. Moon: "Mr. Speaker, I think what Representative Pardini is trying to do is to make an amendment to an amendment to an amendment, which I think is not proper."

#### POINT OF ORDER

Mr. Julin: "Representative Pardini simply posed a question of parliamentary inquiry."

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Mr. Pardini, it appears that the amendment offered by Representatives Fortson, Perry, Parker, North and Chatalas was on the desk first. The procedure is to take these in the order received so the Speaker will rule that we will consider the Fortson amendment. You have other ways to offer your amendment to include U. S. Senator, maybe to another part of the bill."

The Speaker stated the question before the House to be the amendment by Representatives Fortson, Perry, Parker, North (Frances) and Chatalas to the King amendment to Engrossed Senate Bill No. 3044.

Mr. Van Dyk demanded an electric roll call and the demand was sustained.

Mr. Perry spoke in favor of the amendment, and Mr. Eikenberry spoke against it.

## ROLL CALL

The Clerk called the roll on the amendment by Representative Fortson and others to the King amendment to Engrossed Senate Bill No. 3044, and the amendment was adopted by the following vote: Yeas, 52; nays, 42; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Winsley, Wojahn.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Eng, Freeman, Garrett, Gilleland, Hansey, Hawkins, Hayner, Hendricks, Honan, Juelling, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Lysen, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Williams, Wilson.

Not voting: Representatives Anderson, Blair, Zimmerman, and Mr. Speaker.

Mr. Barnes moved adoption of the following amendment by Representatives Barnes and Bauer to the King amendment:

On page 2, line 19 insert a new subsection to read as follows:

(5) On any one other single date in the year not falling within thirty days of a regular primary or general election; or"

Renumber the remaining subsection consecutively.

Representatives Barnes, Bauer and Hoggins spoke in favor of the amendment to the amendment, and Representatives King and Brown spoke against it.

The amendment was lost on a rising vote.

Mr. Eikenberry moved adoption of the following amendment to the King amendment:

On page 9, section 8, line 12 strike "~~((justices of the supreme court; judges of the court of appeals and))~~" and insert "justices of the supreme court; judges of the court of appeals and"

Representatives Eikenberry, Thompson and Smith spoke in favor of the amendment to the amendment, and Representatives King and Randall spoke against it.

Mr. Chatalas demanded an electric roll call, and the demand was sustained.

Mr. Eikenberry spoke again in favor of the amendment to the amendment, and Representatives Savage, Bagnariol and Brown spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Eikenberry to the King amendment to Engrossed Senate Bill No. 3044, and the amendment was adopted by the following vote: Yeas, 51; nays, 40; not voting, 6.

Voting yea: Representatives Amen, Anderson, Barnes, Bauer, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gallagher, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Lysen, Matthews, Morrison, Nelson, Newhouse, O'Brien, Patterson, Polk, Pullen, Rabel, Schumaker, Smith, Thompson, Tilly, Warnke, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Adams, Bagnariol, Bausch, Bluechel, Brown, Charnley, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gaspard, Goltz, Hansen, Hawkins, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North L., Pardini, Paris, Parker, Perry, Randall, Savage, Shinpoch, Sommers, Valle, Van Dyk, Wojahn.

Not voting: Representatives Bender, Blair, Clemente, North F., Wilson, Zimmerman.

Engrossed Senate Bill No. 3044 as amended by the House was passed to the Committee on Rules for third reading.

#### MOTIONS

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

On motion of Mr. Thompson, HOUSE BILL NO. 1030 was rereferred from the Committee on State Government to the Committee on Ways and Means - Appropriations.

RESOLUTION

HOUSE RESOLUTION NO. 74-191, by Representatives Thompson, Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North (Frances), North (Lois), O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Sawyer, Schumaker, Shipoch, Smith, Sommers, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn and Zimmerman:

WHEREAS, The State of Washington has been extremely fortunate in having one of the most distinguished and effective state delegations of the federal Congress; and

WHEREAS, The long and continuous service of several members of the Washington delegation have been of immeasurable benefit not only to the citizens of this state but to the citizens of all the states; and

WHEREAS, The Honorable Julia Butler Hansen, Representative of the Third Congressional District, the foremost member of the Washington State delegation and the representative with the longest continual service from this state, has today honored the Legislature with a visit;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives, hereby expresses its most sincere appreciation to Julia Butler Hansen for her great achievements in service to her state and nation, and further extends its best wishes to her for the years ahead.

Mr. Thompson moved adoption of the resolution and spoke in favor of it.

The resolution was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House Congresswoman Julia Butler Hansen and requested Representatives Erickson, Hurley, North (Frances), Fortson, Thompson, Paris, Charette and Newhouse to escort her to a place on the rostrum beside the Speaker.

The Speaker (Mr. O'Brien presiding): "It's a great pleasure and honor, Julia, to have you here with us today. It brings back old memories. I'm sure that this is where the great Julia Butler Hansen got her start. I remember

when I first came here we sat in the corner over there and they used to call it 'coffin corner.' I don't understand why, unless we killed everything that came that way.

"Julia, in my estimation, is one of the smartest political persons in the whole state of Washington. She always has a particular acumen of being able to test and feel the pulse of things. She has that intuition that doesn't exist in a great many legislators. She knows when to speak and when not to speak and when to take proper action and when not to act. I think that I was particularly fortunate to have the great fortune to serve with her for so many years, because I watched her in action and I know firsthand her great ability. She left here to go to Congress and she certainly achieved a great record in Congress. We get to take some of the credit for the groundwork that she gained here in the House of Representatives. Julia is a great asset to the state of Washington, and I know that people in not only her district, but in the whole state of Washington, are extremely proud of her achievements. I am supremely proud to have known Julia and have had the great honor and pleasure of having worked with her. I would like to present to you one of the greatest politicians in the history of the state of Washington, the Honorable Julia Butler Hansen."

Mrs. Hansen: "Mr. Speaker, or John as I knew you so well, and my very distinguished former colleagues--there aren't too many of you left, most of them have gone over to the Senate. I was over there and there they were, same as ever, and I could just recall the old days--who had killed what, and so on. I'm afraid they are still killing things.

"Representative Thompson, my particular appreciation to you for sponsoring that resolution. Words can't begin to express my appreciation for it. Not too many resolutions pass unanimously. I remember when we used to have points of order early in the morning and nothing passed unanimously and that was the scuffle of the day.

"I presume even the Republicans are glad to see me go. I met one on the street one day and he said 'How are you?' and I said 'You know, better than you hope I am.' I can't begin to tell you how much I enjoyed my service here in the House. Actually I think I enjoyed my service here more than I ever have in Washington, D.C. because Washington, D.C., may be the nation's capitol, but I am afraid that is probably what's wrong with it. So many people feel that is where the action is--actually the action is back with you people, back with the people of this nation--it's back in the legislatures of the states. This is where it all begins. This is where the ideas come from and sometimes back there these days it's either a Watergate or an oil gate. The years have gone on and as I told the Senate a little while ago, some of the people asked why I was retiring--you know I think they kind of hoped that I would admit that I was sick or scared or something, but that isn't it at all. I just have the desire to come back to the state of Washington where things are civilized. I am sick and tired of high rents, landlords who won't weatherstrip their houses--well, you read the press

releases. I said it all and I said it for a lot of Congressmen. One of the men asked one day why the women were leaving so I am going to give the same answer that I gave to him--that women know when to go home and men don't know when to go home. There are some of the saddest looking old boys--74, 76--back there that are saying they don't know why I am quitting, and I tell them that if they had any sense they would quit too. I am convinced that when you serve and you have done a job--you have never accomplished all you wanted to, and you never will, you just don't live long enough--but if in some way you have been able to help your state and your nation, and when you feel that you have done that, then it's time, not to quit, but to go on being a citizen. People will say (lots of politicians) 'Well, you are retiring.' and I remind them that my one vote is just the same as theirs and it's going to continue to be cast in exactly the same independent spirit I have always voted.

"I won't take any more time, because I understand that you are on some very serious legislation and you have only a week. By the way, how many mini-sessions are you going to have? It's going to grow into a maxi. If you are going into mini-sessions I just have one thing to say: You are going into endless sessions and for the sake of the body itself you have to have courage enough to increase your pay and never mind the guy that takes it to a referendum. Who thinks you can live on \$300 per month? Heavens above, you can't buy catnip for that. So I'll make a speech on behalf of what I consider decent salaries for legislators--that's basic to the decent conduct of any orderly legislative body, and having been a legislator--John remembers coffin corner--I remember serving at \$5 a day for 60 days and then they stopped the clock and you were here for the next 10, 15 or 20 days on your own money. In those days (this isn't true any more because I think reform has stopped it all) there used to be such people known as pigeons--do you remember, John? You may know them too, but they are probably secret and are probably known by a different name now. Anyway that's one of the problems. I can't help but say one word to Charlie Savage who is sitting over there. Charlie came to the legislature in 1939 when I did, and Charlie had the same good fortune that I did to serve here and then go back to Washington, D.C., and I consider it the greatest good fortune of all to be able to quit and come back to the state of Washington and continue to live here in a land that is so free and so beautiful. Thank you, my colleagues, for your affection, your kindness and your courtesy. I shall never forget it."

(Applause)

The Speaker (Mr. O'Brien presiding) requested the escort committee to escort Julia Butler Hansen from the House Chamber.

POINT OF PARLIAMENTARY INQUIRY

Mr. Bagnariol yielded to question by Mr. Curtis.

Mr. Curtis: "I understand that you are going into caucus on the budget, and we would like to do the same. You have had the benefit of substantial staff, input, the spreadsheets, etc. and presumably you will have the benefit of all these in your caucus. Will that same information be made available to our caucus so that we can do the same thing at the same time?"

Mr. Bagnariol: "We are going to caucus and I will be explaining to our caucus my position and they will determine from there whether they accept that or not. You will have the full benefit of our staff to come into your caucus along with all the data and backup material."

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

The Speaker called the House to order.

MOTIONS

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

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Thursday, April 18, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## THIRTY-FIFTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Thursday, April 18, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Martinis, Rabel, Williams and Zimmerman, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by Father Treacy of St. Michael's Catholic Church of Olympia.

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

## SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the bar of the House the Royal Court of the 79th Annual Irrigation Festival of Sequim, and appointed Representatives Conner, Savage, Hendricks, Bausch, Parker and Blair to escort them to the rostrum.

The Speaker (Mr. O'Brien presiding) introduced to the members of the House Princesses Marlene Pyke and Chris Francis and Queen Joan Barnley. Queen Joan spoke briefly to the House, inviting them to attend the Irrigation Festival in Sequim.

The escort committee accompanied the Royal Court from the House Chamber.

## MESSAGE FROM THE SENATE

April 17, 1974

Mr. Speaker:

The Senate has passed:

SENATE CONCURRENT RESOLUTION NO. 154,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 154, by Senator  
Newschwander:

Requesting that SCR 147 be suspended for the purpose of introducing a bill relating to capital punishment.



## MOTION

Mr. Charette moved that the rules be suspended, and Senate Concurrent Resolution No. 154 be advanced to second reading and read the second time in full.

## MOTION

Mr. King moved that further consideration of Senate Concurrent Resolution No. 154 be deferred, and that the resolution be placed on tomorrow's second reading calendar.

## POINT OF ORDER

Mr. Luders: "In the process of taking a vote can the vote be interrupted? As I understand it, we took a vote and you were debating as to whether to call for a division. Can another motion interrupt the vote?"

## RULING BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): "Well, your point is probably pretty well taken, but I didn't anticipate Mr. King getting involved here and was surprised when he stood up. On that basis, Mr. Luders, I am going to let it stand as it was originally read in. The question before the House is the motion by Mr. King that further consideration of Senate Concurrent Resolution No. 154 be deferred, and it be placed on tomorrow's second reading calendar."

Mr. King stated that with the consent of the House, he would withdraw his motion.

Mr. King demanded an electric roll call on the motion by Mr. Charette.

## POINT OF ORDER

Mr. Newhouse: "The vote was taken, an oral vote, which has not been announced. I think that the Speaker should announce the result of that vote. If it is decided in the affirmative, the resolution is on second reading. If it is decided in the negative, Mr. King's question is moot--there is no need for it."

## SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "Mr. King, I am not going to recognize your motion. I thought you were going to speak for or against Mr. Charette's motion. The motion before us is the motion to suspend the rules and advance Senate Concurrent Resolution No. 154 to second reading and read the second time in full. I will put the motion to you again."

The motion was lost on a rising vote.

Senate Concurrent Resolution No. 154 was passed to the Committee on Rules.

## REPORTS OF STANDING COMMITTEES

April 15, 1974

HOUSE BILL NO. 430, Prime sponsor: Representative Perry, creating a department of transportation, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Shinpoch, Chairman; Bagnariol, Blair, Chatalas, Gaspard, Juelling, Kopet, Luders, North (Lois), Polk, Smith, Thompson, Valle, Zimmerman.

To Committee on Rules for second reading.

April 16, 1974

HOUSE BILL NO. 550, Prime sponsor: Representative Ellis, increasing Yakima County superior court from four to five, reported by Committee on Judiciary.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Knowles, Chairman; Eikenberry, Gaspard, Maxie, Newhouse, Shinpoch, Sommers, Winsley.

## MOTION

On motion of Mr. Thompson, the rules were suspended, and House Bill No. 550 was advanced to second reading and placed on today's second reading calendar.

April 17, 1974

ENGROSSED SUBSTITUTE HOUSE BILL NO. 647, Prime sponsor: Representative Conner, creating a new board of prison terms and paroles and defining its functions, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; Bausch, Blair, Charette, Chatalas, Ehlers, Kopet, Morrison, Smith, Thompson, Valle, Van Dyk, Warnke.

To Committee on Rules for second reading.

April 17, 1974

HOUSE BILL NO. 784, Prime sponsor: Representative Bausch, increasing mileage allowance for state officials and employees, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after the enacting clause strike the remainder of the bill and insert the following:

"Section 1. Section 43.03.060, chapter 8, Laws of 1965 as amended by section 4, chapter 16, Laws of 1967 ex. sess. and RCW 43.03.060 are each amended to read as follows:

Whenever it becomes necessary for an elective or appointive official or employee of the state to travel away from his designated post of duty while engaged on official business, and it is found to be more advantageous and economical to the state that he travel by a privately owned automobile rather than a common carrier or a state-owned or operated vehicle, he ~~((shall))~~ may be allowed a mileage rate not to exceed ~~((ten))~~ thirteen cents a mile.

Sec. 2. Section 1, chapter 10, Laws of 1959 as last amended by section 5, chapter 197, Laws of 1973 1st ex. sess. and RCW 44.04.120 are each amended to read as follows:

Each member of the senate or house of representatives when serving on official legislative business during the interim between legislative sessions, or while serving on the ~~((legislative council; the))~~ legislative budget committee, or any other standing, permanent or interim committee, commission, or council of the legislature shall be entitled to receive, in lieu of per diem or any other payment, for each day or major portion thereof in which he is actually engaged in legislative business or business of the committee, commission, or council, notwithstanding any laws to the contrary, forty dollars per day, plus mileage allowance at the rate ~~((of ten cents))~~ provided for in RCW 43.03.060, as now or hereafter amended per mile when authorized by the house, committee, commission, or council of which he is a member and on the business of which he is engaged.

This section shall not apply to any official travel by legislators which is subject to the provisions of Article 2, section 23 of the state Constitution."

On page 1, in line 3 of the title after "43.03.060" and before the period insert: "and amending section 1, chapter 10, Laws of 1959 as last amended by section 5, chapter 197, Laws of 1973 1st ex. sess. and RCW 44.04.120"

Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Amen, Bagnariol, Bausch, Blair, Ehlers, Hoggins, Kopet, Luders, Smith, Valle, Warnke.

To Committee on Rules for second reading.

April 17, 1974

SUBSTITUTE HOUSE BILL NO. 1274, Prime sponsor: Representative Bagnariol, implementing state teachers' retirement system act and increasing certain benefits thereunder, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: The third substitute bill be substituted therefor and the third substitute bill do pass. Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Bausch, Blair, Curtis, Ehlers, Hoggins, Kopet, Luders, North (Lois), Smith, Valle, Warnke.

To Committee on Rules for second reading.

April 16, 1974

SUBSTITUTE SENATE BILL NO. 3312, Prime sponsor:  
Senator Day, revising the law relating to the criminally  
insane, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following  
amendment:

On page 1, after the enacting clause, strike the  
remainder of the bill and insert the following:

"Section 1. Section 1, chapter 117, Laws of 1973 1st  
ex. sess. and RCW 10.77.010 are each amended to read as  
follows:

As used in this chapter:

(1) 'A 'criminally insane' person means any person who  
has been acquitted of a crime charged by reason of ((mental  
disease or defect excluding responsibility)) insanity, and  
thereupon found to be a substantial danger to ((himself  
or)) other persons ((and in need of)) or to present a  
substantial likelihood of committing felonious acts  
jeopardizing public safety or security unless kept under  
further control by the court or other persons or  
institutions. ((No condition of mind proximately induced  
by the voluntary act of a person charged with a crime shall  
be deemed a mental disease or defect excluding  
responsibility.))

(2) 'Indigent' means any person who is financially  
unable to obtain counsel or other necessary expert or  
professional services without causing substantial hardship  
to himself or his family.

(3) 'Secretary' means the secretary of the department  
of social and health services or his designee.

(4) 'Department' means the state department of social  
and health services.

(5) 'Treatment' means any currently standardized  
medical or mental health procedure including medication.

(6) 'Incompetency' means a person lacks the capacity  
to understand the nature of the proceedings against him or  
to assist in his own defense as a result of mental disease  
or defect.

(7) 'Insanity' means a condition of mine whereby the  
defendant, at the time of the crime charged, lacked  
capacity either:

(a) To know or appreciate the nature and consequences  
of such conduct; or

(b) To know or appreciate the criminality of such  
conduct.

No condition of mind proximately induced by the  
voluntary act of a person charged with a crime shall  
constitute 'insanity'.

Sec. 2. Section 2, chapter 117, Laws of 1973 1st ex.  
sess. and RCW 10.77.020 are each amended to read as  
follows:

(1) At any and all stages of the proceedings pursuant  
to this chapter, any person subject to the provisions of  
this chapter shall be entitled to the assistance of  
counsel, and if the person is indigent ((and unable to

retain counsel)) the court shall appoint counsel to assist him. A person may waive his right to counsel ((only following)); but such waiver shall only be effective if a court makes a specific finding ((by the court)) that he is or was competent to so waive. In making such findings, the court shall be guided but not limited by the following standards: Whether the person attempting to waive the assistance of counsel, does so understanding:

- (a) The nature of the charges;
- (b) The statutory offense included within them;
- (c) The range of allowable punishments thereunder;
- (d) Possible defenses to the charges and circumstances in mitigation thereof; and
- (e) All other facts essential to a broad understanding of the whole matter.

(2) Whenever any person is subjected to an ((mental status)) examination pursuant to any provision of this chapter, he may retain an expert or professional person to ((participate in the)) perform an examination in his behalf. In the case of a person who is indigent, ((either)) the court ((or the secretary)) shall upon his request assist the person in obtaining an expert or professional person to ((participate in the)) perform an examination or participate in the hearing on his behalf. An expert or professional person obtained by an indigent person pursuant to the provisions of this chapter shall be compensated for his services out of funds of the department, in an amount determined by it to be fair and reasonable.

(3) Whenever any person has been committed under any provision of this chapter, or ordered to undergo alternative treatment following his acquittal of a crime charged by reason of ((mental disease or defect excluding responsibility)) insanity, such commitment or treatment cannot exceed the maximum possible penal sentence for any offense charged for which he was acquitted by reason of insanity. If at the end of that period the person has not been finally discharged and is still in need of commitment or treatment, civil commitment proceedings may be instituted, if appropriate.

(4) Any time the defendant is being examined by court appointed experts or professional persons pursuant to the provisions of this chapter, he shall be entitled to have his attorney present. ((If the defendant is indigent and unable to retain counsel; the court upon the request of the defendant shall appoint counsel to assist the defendant.)) The defendant may refuse to answer any question if he believes his answers may tend to incriminate him or form links leading to evidence of an incriminating nature.

Sec. 3. Section 3, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.030 are each amended to read as follows:

(1) Evidence of ((mental disease or defect excluding responsibility)) insanity is not admissible unless the defendant, at the time of arraignment or within ten days thereafter or at such later time as the court may for good cause permit, files a written notice of his intent to rely on such a defense.

(2) ((Mental disease or defect excluding responsibility is a)) Insanity is a defense which the defendant must establish by a preponderance of the evidence.

((3) When the defendant is acquitted on the grounds of mental disease or defect excluding responsibility, the verdict and judgment shall so state:))

Sec. 4. Section 4, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.040 are each amended to read as follows:

Whenever the issue of ((mental disease or defect excluding responsibility has been raised by the defendant)) insanity is submitted to the jury, the court shall instruct the jury to return a special verdict in substantially the following form:

answer  
yes or no

- 1. Did the defendant commit the ((crime)) act charged? -----
- 2. If your answer to number 1 is yes, do you acquit ((hime)) him because of ((mental disease or defect excluding responsibility)) insanity existing at the time of the act charged? -----
- 3. If your answer to number 2 is yes, is the defendant a substantial danger to ((himself or others and in need of)) other persons unless kept under further control by the court or other persons or institutions, or property? -----
- 4. If your answer to number 2 is yes, does the defendant present a substantial likelihood of committing felonious acts jeopardizing public safety or security unless kept under further control by the court or other persons or institutions? -----
- 5. If your answers to either number 3 or number 4 is yes, is it in the best interests of the defendant and others that the defendant be placed in treatment that is less restrictive than detention in a state mental hospital? -----

Sec. 5. Section 5, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.050 are each amended to read as follows:

No incompetent person ((who lacks the capacity to understand the proceedings against him or to assist in his own defense as a result of mental disease or defect)) shall be tried, convicted, or sentenced for the commission of an offense so long as such incapacity continues.

Sec. 6. Section 6, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.060 are each amended to read as follows:

(1) Whenever a defendant has pleaded not guilty by reason of ((mental disease or defect excluding responsibility)) insanity, or there is reason to doubt his ((fitness to proceed as a result of mental disease or defect)) competency, the court on its own motion or on the motion of any party shall either appoint((7)) or ((shall)) request the secretary to designate((7)) at least two qualified experts or professional persons, one of whom shall be approved by the prosecuting attorney, to examine and report upon the mental condition of the defendant. For purposes of the examination, the court may order the defendant committed to a hospital or other suitable facility for a period of time necessary to complete the examination, but not to exceed fifteen days.

(2) The court ((shall)) may direct that a qualified expert or professional person retained by or appointed for the defendant be permitted to witness the examination authorized by subsection (1) of this section, and that he shall have access to all information obtained by the court appointed experts or professional persons. The defendant's expert or professional person shall have the right ((either to join in the report filed by the court appointed experts or professional persons authorized by subsection (1) of this section; or)) to file his own ((separate)) report following the guidelines of subsection (3) of this section. If the defendant is indigent, the court shall upon the request of the defendant assist him in obtaining an ((duly qualified)) expert or professional person ((to participate in the examination on the defendant's behalf)).

(3) The report of the examination shall include the following:

(a) A description of the nature of the examination;

(b) A diagnosis of the mental condition of the defendant;

(c) If the defendant suffers from a mental disease or defect, an opinion as to his ((capacity to understand the proceedings against him and to assist in his own defense)) competency;

(d) If the defendant has indicated his intention to rely on the defense of ((irresponsibility)) insanity pursuant to RCW 10.77.030, an opinion as to the extent he lacked capacity either:

(i) To know or appreciate the nature and consequences of such conduct; or

(ii) To know or appreciate the criminality of such conduct;

(e) When directed by the court, an opinion as to the capacity of the defendant to have a particular state of mind which is an element of the offense charged;

(f) An opinion as to whether the defendant is a substantial danger to ((himself or others and is in need

of) other persons, or presents a substantial likelihood of committing felonious acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions.

Sec. 7. Section 8, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.080 are each amended to read as follows:

((If the report filed pursuant to RCW 10.77.060 finds that the defendant at the time of the criminal conduct charged did not have capacity to either (1) know or appreciate the nature and consequence of such conduct; or (2) know or appreciate the criminality of such conduct; the defendant, upon notification to the prosecuting attorney, may move that a judgment of acquittal on the grounds of mental disease or defect excluding responsibility be entered. If the court, after a hearing on the motion, is satisfied that such impairment was sufficient to exclude responsibility, the court shall enter judgment of acquittal on the grounds of mental disease or defect excluding responsibility. If the motion is denied, the question shall be submitted to the trier of fact in the same manner as all other issues of fact.)) The defendant may move the court for a judgment of acquittal on the grounds of insanity; PROVIDED, That a defendant so acquitted may not later contest the validity of his detention on the grounds that he did not commit the acts charged. At the hearing upon said motion the defendant shall have the burden of proving by a preponderance of the evidence that he was insane at the time of the offense or offenses with which he is charged. If the court finds that the defendant should be acquitted by reason of insanity, it shall enter specific findings in substantially the same form as set forth in RCW 10.77.040 (2), (3), (4), and (5), as now or hereafter amended. If the motion is denied, the question may be submitted to the trier of fact in the same manner as other issues of fact.

Sec. 8. Section 9, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.090 are each amended to read as follows:

(1) If at any time during the pendency of an action and prior to judgment, the court finds following a report as provided in RCW 10.77.060, as now or hereafter amended, that the defendant is ((incapable of understanding the proceedings against him or assisting in his own defense)) incompetent, the court shall order the proceedings against him be stayed, except as provided in subsection (5) of this section, and may commit the defendant to the custody of the secretary, who shall place such defendant in an appropriate facility of the department for evaluation and treatment, or the court may alternatively order the defendant to undergo evaluation and treatment at some other facility, or under the guidance and control of some other person, until he has regained the competency necessary to understand the proceedings against him and assist in his own defense, but in any event, for no longer than a period of ninety days. ((If during the)) On or before expiration of the initial ninety day period ((7)) of commitment the court ((on its own motion, or upon application of the secretary, the prosecuting attorney, or the defendant, finds by a



preponderance of the evidence; after)) shall conduct a hearing, ((that)) at which it shall determine whether or not the defendant is ((now able to understand the proceedings against him and assist in his own defense; the proceedings shall be resumed)) incompetent.

(2) If ((at the end of the ninety day period)) the court finds by a preponderance of the evidence that the defendant is ((not able to understand the proceedings against him and assist in his own defense)) incompetent, the court shall have the option of extending the order of commitment or alternative treatment for an additional ninety day period, but it must at the time of extension set a date for a prompt hearing to determine the defendant's competency ((if the defendant has not been judged competent to proceed)) before the expiration of the second ninety day period. The defendant, his attorney, the prosecutor, or the judge shall have the right to demand that the ((competency)) hearing ((at the end of the)) on or before the expiration of the second ninety day ((extension)) period be before a jury. If no demand is made, the hearing shall be before the court. ((The sole issue to be determined at such a hearing is)) The court or jury shall determine whether or not the defendant has ((the competency to understand the proceedings against him and to assist in his own defense)) become competent.

(3) At the hearing upon the expiration of the second ninety day period if the jury or court, as the case may be, finds ((by a preponderance of the evidence)) that the defendant is ((unable to understand the proceedings against him and assist in his own defense)) incompetent, the charges shall be dismissed without prejudice, and either civil commitment proceedings shall ((immediately)) be instituted, if appropriate, or the court shall order the release of the defendant: PROVIDED, That ((if the jury or court, as the case may be, also finds by a preponderance of the evidence that; on or before ninety days from the expiration date of the second ninety day period; the defendant will be so improved as to be able to understand the proceedings against him and assist in his own defense; the court shall extend the order of commitment or alternative treatment for a period no longer than an additional ninety days and shall also order that if the defendant has not been judged competent to proceed and has not been brought to trial on or before the end of said additional ninety day period; then at the end of said period; upon providing notice to the court; but without further order of the court; either civil commitment proceedings shall immediately be instituted; if appropriate; or the defendant shall be released)) the criminal charges shall not be dismissed if at the end of the second ninety day period the court or jury finds that the defendant is a substantial danger to other persons, or presents a substantial likelihood of committing felonious acts jeopardizing public safety or security, and that there is a substantial probability that the defendant will regain competency within a reasonable period of time. In the event that the court or jury makes such a finding, the court may extend the period of commitment for an additional six months. At the end of said six month period, if the

defendant remains incompetent, the charges shall be dismissed without prejudice and either civil commitment proceedings shall be instituted, if appropriate, or the court shall order release of the defendant.

(4) ((If the jury or the court, as the case may be, finds by a preponderance of the evidence that the defendant has regained the ability to understand the proceedings against him and to assist in his own defense, the criminal proceedings shall be resumed.

(5)) The fact that the defendant is unfit to proceed does not preclude any pretrial proceedings which do not require the personal participation of the defendant.

((6)) (5) A defendant receiving medication for either physical or mental problems shall not be prohibited from standing trial, if the medication either enables him to understand the proceedings against him and to assist in his own defense, or does not disable him from so understanding and assisting in his own defense.

Sec. 9. Section 10, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.100 are each amended to read as follows:

((At any proceeding held pursuant to this chapter:

{1}) Subject to the rules of evidence, experts or professional persons who have reported pursuant to this chapter may be called as witnesses at any proceeding held pursuant to this chapter. Both the prosecution and the defendant may summon any other qualified expert or professional persons to testify ((; but no one who has not examined the defendant outside of court shall be competent to testify to an expert opinion with respect to the mental condition or responsibility of the defendant; as distinguished from the validity of the procedure followed by; or the general scientific propositions stated by; another witness)).

((2) Experts or professional persons who have examined the defendant and who have been called as witnesses concerning his mental condition shall be permitted to make a statement as to the nature of his examination; his diagnosis of the mental condition of the defendant at the time of the commission of the offense charged and his opinion as to the extent; if any; the defendant lacked capacity either {1} to know or appreciate the nature and consequence of such conduct; or {2} to know or appreciate the criminality of such conduct. He shall be permitted to make any explanation reasonably serving to clarify his diagnosis and opinion and may be cross-examined as to any matter bearing on his competency or credibility or the validity of his diagnosis or opinion:))

Sec. 10. Section 11, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.110 are each amended to read as follows:

If a defendant ((charged with a crime)) is acquitted by reason of ((mental disease or defect excluding responsibility)) insanity, and it is found that he is not a substantial danger to ((himself or other persons; and not in need of)) other persons, or does not present a substantial likelihood of committing felonious acts jeopardizing public safety or security, unless kept under further control by the court or other persons or

institutions, the court shall direct his ((release)) final discharge. If it is found that the defendant is a substantial danger to ((himself or others and in need of)) other persons, or does not present a substantial likelihood of committing felonious acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions, the court ((may)) shall order his hospitalization ((or may order alternative treatment)), or any appropriate alternative treatment less restrictive than detention in a state mental hospital, pursuant to the terms of this chapter. If it is found that the defendant is not a substantial danger to other persons, or does not present a substantial likelihood of committing felonious acts jeopardizing public safety or security, but that he is in need of control by the court or other persons or institutions, the court shall direct his conditional release.

Sec. 11. Section 12, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.120 are each amended to read as follows:

The secretary shall forthwith provide adequate care and individualized treatment at one or several of the state institutions or facilities under his direction and control wherein persons committed as criminally insane may be confined. Such persons shall be under the custody and control of the secretary to the same extent as are other persons who are committed to his custody, but such provision shall be made for their control, care, and treatment as is proper in view of their condition. In order that the secretary may adequately determine the nature of the mental illness of the person committed to him as criminally insane, and in order for the secretary to place such individuals in a proper facility, all persons who are committed to the secretary as criminally insane shall be promptly examined by qualified personnel in such a manner as to provide a proper evaluation and diagnosis of such individual. Any person so committed shall not be discharged from the control of the secretary save upon the order of a court of competent jurisdiction made after a hearing and judgment of discharge.

Whenever there is a hearing which the committed person is entitled to attend, the secretary shall send him in the custody of one or more department employees to the county where the hearing is to be held at the time the case is called for trial. During the time he is absent from the facility, he shall be confined in a facility designated by and arranged for by the department, and shall at all times be deemed to be in the custody of the department employee and provided necessary treatment. If the decision of the hearing remits the person to custody, the department employee shall forthwith return him to such institution or facility designated by the secretary. If the state appeals an order of discharge, such appeal shall operate as a stay, and the person in custody shall so remain and be forthwith returned to the institution or facility designated by the secretary until a final decision has been rendered in the cause. ((If the state does not appeal, the order of discharge shall be sufficient acquittal to the secretary.))

Sec. 12. Section 14, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.140 are each amended to read as follows:

Each ~~((patient))~~ person committed to a hospital or other facility or conditionally released pursuant to this chapter shall have a current examination of his mental condition made by one or more experts or professional persons at least once every six months. ~~((The patient))~~ Said person may retain, or if he is indigent and so requests, the court may appoint a ~~((duty))~~ qualified expert or professional person to examine him, and such expert or professional person shall have access to all hospital records concerning the ~~((patient))~~ person. The secretary, upon receipt of the periodic report, shall provide written notice to the court of commitment of compliance with the requirements of this section.

Sec. 13. Section 15, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.150 are each amended to read as follows:

(1) Persons examined pursuant to RCW 10.77.140, as now or hereafter amended, may make application to the secretary for conditional release. The secretary shall, after considering the reports of experts or professional persons conducting the examination pursuant to RCW 10.77.140, forward to the court of the county which ordered his commitment the person's application for conditional release as well as his recommendations concerning the application and any proposed terms and conditions upon which he reasonably believes the person can be conditionally released. Conditional release may also contemplate partial release for work, training, or educational purposes.

(2) The court of the county which ordered his commitment, upon receipt of an application for conditional release with the secretary's recommendation for conditional release, shall within thirty days schedule a hearing. The court may schedule a hearing on applications recommended for disapproval by the secretary. The prosecuting attorney shall represent the state at such hearings and shall have the right to have the patient examined by an expert or professional person of his choice. If the ~~((patient))~~ committed person is indigent, and he so requests, the court shall appoint a ~~((duty))~~ qualified expert or professional person to examine ~~((the patient))~~ him on his behalf. The issue to be determined at such a hearing is whether or not the person may be released conditionally without substantial danger to ~~((himself or other persons and is not in need of further control by the court or other persons or institutions))~~ other persons, or substantial likelihood of committing felonious acts jeopardizing public safety or security. The court, after the hearing, shall rule on the secretary's recommendations, and if it disapproves of ~~((said recommendations))~~ conditional release, may do so only on the basis of substantial evidence. The court ~~((; prior to conditional release;))~~ may modify the suggested terms and conditions on which the person is to be conditionally released. Pursuant to the determination of the court after hearing, the committed person shall thereupon be released on such conditions as the court

determines to be necessary, or shall be remitted to the custody of the secretary.

(3) ((A recommendation by the secretary pursuant to this section that the person should not be conditionally released does not preclude such person from applying for a writ of habeas corpus on the issue of whether he may be released without substantial danger to himself or other persons and is not in need of further control by the court or other persons or institutions; where no hearing has been held pursuant to subsection (2) of this section:

(4)) Any person, whose application for conditional release has been denied, may reapply after a period of six months from the date of denial.

Sec. 14. Section 18, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.180 are each amended to read as follows:

Each person conditionally released pursuant to RCW 10.77.150, as now or hereafter amended, shall have his case reviewed by the court which conditionally released him no later than one year after such release and no later than every two years thereafter, such time to be scheduled by the court. Review may occur in a shorter time or more frequently, if the court, in its discretion, on its own motion, or on motion of the person, the secretary or the prosecuting attorney, so determines. The sole question to be determined by the court is whether the person shall continue to be conditionally released. The court in making its determination shall be aided by the periodic reports filed pursuant to RCW 10.77.140, as now or hereafter amended, and 10.77.160, and the opinions of the secretary and other experts or professional persons.

Sec. 15. Section 19, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.190 are each amended to read as follows:

(1) Any person submitting reports pursuant to \*RCW 10.77.160, the secretary, or the prosecuting attorney may petition the court to, or the court on its own motion may schedule an immediate hearing for the purpose of modifying the terms of conditional release if the petitioner or the court believes the released person is failing to adhere to the terms and conditions of his conditional release or is in need of additional care and treatment.

(2) If the prosecuting attorney, the secretary, or the court, after examining the report filed with them pursuant to \*RCW 10.77.160, or based on other information received by them, reasonably believes that a conditionally released person is failing to adhere to the terms and conditions of his conditional release, and because of that failure he has become a substantial danger to ((himself or other persons)) other persons, or presents a substantial likelihood of committing felonious acts jeopardizing public safety or security, the court or secretary may order that the conditionally released person be apprehended and taken into custody until such time as a hearing can be scheduled to determine the facts and whether or not the ((patient should be rehospitalized)) person's conditional release should be revoked or modified. The court shall be notified before the close of the next judicial day of ((a patient's)) the apprehension. Both the prosecuting attorney and the

((patient)) conditionally released person shall have the right to request an immediate mental ((status)) examination of the ((patient)) conditionally released person. ((In the case of a patient who)) If the conditionally released person is indigent, the court or secretary shall, upon request ((of the patient)), assist him in obtaining a ((duty)) qualified expert or professional person to conduct the examination.

(3) The court, upon receiving notification of the ((patient's)) apprehension, shall promptly schedule a hearing. The issue to be determined is whether the conditionally released person did or did not adhere to the terms and conditions of his release, and is ((likely to harm himself or other persons if not hospitalized or whether the conditions of release should be modified)) a substantial danger to other persons, or presents a substantial likelihood of committing felonious acts jeopardizing public safety or security. Pursuant to the determination of the court upon such hearing, the conditionally released person shall either continue to be conditionally released on the same or modified conditions or his conditional release shall be revoked and he shall be ((rehospitalized)) committed subject to release only in accordance with ((the)) provisions of this chapter.

Sec. 16. Section 20, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.200 are each amended to read as follows:

(1) ((If)) Upon application by the criminally insane or conditionally released person, the secretary ((determines; after such investigation as he may deem necessary; that a patient committed as criminally insane pursuant to this chapter may be finally discharged without substantial danger to himself or other persons and is not in need of further control by the court or other persons or institutions; he shall make application to the court for the final discharge)) shall determine whether or not reasonable grounds exist for final discharge. If the secretary approves the final discharge he then shall authorize said person to petition the court.

(2) The petition shall be served upon the court and the prosecuting attorney. The court, upon receipt of the ((application)) petition for final discharge, shall within forty-five days order a hearing. Continuance of the hearing date shall only be allowed for good cause shown. The prosecuting attorney shall represent the state, and shall have the right to have the ((patient)) petitioner examined by an expert or professional person of his choice. If the ((patient)) petitioner is indigent, and he so requests, the court shall appoint a ((duty)) qualified expert or professional person to examine ((the patient on his behalf)) him. The hearing shall be before a jury if demanded by either the ((patient)) petitioner or the prosecuting attorney. The ((issue to be determined at such a hearing is whether the person may be)) burden of proof shall be upon the petitioner to show by a preponderance of the evidence that the petitioner may be finally discharged without substantial danger to ((himself or others and is not in need of)) other persons, or presents a substantial likelihood of committing felonious acts jeopardizing public

safety or security, unless kept under further control by the court or other persons or institutions.

(3) Nothing contained in this chapter shall prohibit the patient from petitioning ((by writ of habeas corpus)) the court for final discharge or conditional release from the institution in which he or she is committed. The issue to be determined on such proceeding is whether the ((patient)) petitioner is a substantial danger to ((himself or)) other persons ((and is not in need of)), or presents a substantial likelihood of committing felonious acts jeopardizing public safety or security, unless kept under further control by the court or other persons or institutions.

Nothing contained in this chapter shall prohibit the committed person from petitioning for release by writ of habeas corpus.

Sec. 17. Section 22, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.220 are each amended to read as follows:

No person confined pursuant to this chapter shall be incarcerated in a state correctional institution or facility; PROVIDED, That nothing herein shall prohibit confinement in a mental health facility located wholly within a correctional institution.

Sec. 18. Section 23, chapter 117, Laws of 1973 1st ex. sess. and RCW 10.77.230 are each amended to read as follows:

Either party may appeal to the court of appeals the judgment of any hearing held pursuant to the provisions of this chapter. ((The procedure on appeal shall be the same as in other cases.))

NEW SECTION. Sec. 19. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Signed by Representatives Knowles, Chairman; Smith, Vice Chairman; Eikenberry, Gaspard, Hayner, Newhouse, Shinpoch, Winsley.

To Committee on Rules for second reading.

## SECOND READING

### MOTION

Mr. Newhouse moved that the Committee on Judiciary be relieved of HOUSE BILL NO. 9, and that it be placed on the second reading calendar for immediate consideration.

Mr. Newhouse spoke in favor of the motion.

Mr. Cunningham demanded an electric roll call, and the demand was sustained.

Debate ensued, Representatives Cunningham, Curtis and Kuehnle speaking in favor of the motion, and

Representatives Charette, Douthwaite, Van Dyk and Chatalas speaking against it.

Mr. Schumaker spoke in favor of the motion.

#### SPEAKER'S ADMONITION

The Speaker (Mr. O'Brien presiding): "Mr. Schumaker, will you hold your remarks to the reason why the committee should be relieved of this bill and be specific about it without opening up the entire main question for debate? Reed's Rules are pretty clear on the motion to commit and we are hoping that the same theory holds on a motion to relieve a committee of a bill. You are not opening the entire question for debate. Hold to the specific reasons why you want the committee relieved of the bill."

Mr. Schumaker continued his remarks in favor of the motion.

Mr. Knowles spoke against the motion.

Mr. Smith spoke in opposition to the motion.

#### POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, you should use the same ruling on the present speaker that you did on the past speaker."

The Speaker (Mr. O'Brien presiding): "Mr. Smith, will you hold your remarks to the reasons why the bill should be kept in the committee."

Mr. Smith concluded his remarks in opposition to the motion.

Mr. Kalich demanded the previous question and the demand was sustained.

Mr. Newhouse requested to be able to conclude debate as the maker of the motion.

#### SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "Mr. Newhouse, if you will review Rule 55--it stipulates that the previous question, when it is made, when the chairman of the committee or the sponsor of the bill may close the debate, and that is done on final passage; or when a motion to postpone indefinitely is pending, the mover of the question or the sponsor may close debate. That is only on final passage."

Mr. Newhouse requested a point of personal privilege.



## SPEAKER'S REPLY

The Speaker (Mr. O'Brien presiding): "The question of personal privilege has also been somewhat abused. If you are going to get into personal privilege and discuss your motion, I think the Speaker will have to rule you out of order."

## PARLIAMENTARY INQUIRY

Mr. Newhouse: "Unless we vote on this issue now, we will have no vote on the issue this session. The arguments on the other side that this is only a procedural motion are false because we have before us an issue and if we don't address it by a recorded vote, this being the only recorded vote, it is a dodge to say that it is procedural only."

## ROLL CALL

The Clerk called the roll on the motion by Mr. Newhouse to relieve the Committee on Judiciary of House Bill No. 9 and place it on the second reading calendar, and the motion was not carried by the following vote: Yeas, 41; nays, 52; not voting, 5.

Voting yea: Representatives Amen, Barnes, Bauer, Bender, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hendricks, Honan, Hurley, Juelling, Kishimoto, Knowles, Kopet, Kuehnle, Luders, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bausch, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eng, Gaines, Gallagher, Gaspard, Goltz, Hawkins, Hayner, Hoggins, Jastad, Johnson, Julin, Kalich, Kilbury, King, Kraabel, Laughlin, Leckenby, Lysen, Maxie, Moon, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Martinis, Rabel, Williams, Zimmerman.

## SECOND READING

ENGROSSED SENATE BILL NO. 3044, by Senator Grant:

Providing for mandatory dates for holding certain elections.

For previous House action, see Journal for Wednesday, April 17, 1974.

Mr. Barnes moved adoption of the following amendment to the King amendment by Representatives Hayner, Barnes, Haussler, Patterson and Honan:

On page 16, line 17 insert the following:

"I will support the Constitution and laws of the United States and the Constitution and laws of the state of Washington; that I do not advocate the overthrow, destruction, or alteration of the constitutional form of government of the United States or of the state of Washington or any political subdivision of either of them, by revolution, force or violence, and that I do not knowingly belong to any organization, foreign or otherwise, which engages in or advocates, the overthrow, destruction or alteration of the constitutional form of government of the United States or of the state of Washington or any political subdivision of either of them, by revolution, force or violence."

Mr. Barnes spoke in favor of the amendment to the amendment, and Mr. King spoke against it.

Mr. Pardini demanded an electric roll call, and the demand was sustained.

Representatives Leckenby, Savage and Douthwaite spoke against the amendment to the King amendment.

Mr. Rabel appeared at the bar of the House.

Mr. Van Dyk demanded the previous question, and the demand was not sustained.

Debate ensued, Representatives Hayner, Eikenberry, Kuehne and Cunningham spoke in favor of the amendment to the amendment, and Representatives Charette, Blair, Smith, Van Dyk and Moon spoke against it.

#### ROLL CALL

The Clerk called the roll on the amendment by Mrs. Hayner and others to the amendment by Mr. King to Engrossed Senate Bill No. 3044, and the amendment was not adopted by the following vote: Yeas, 44; nays, 49; not voting, 5.

Voting yea: Representatives Amen, Barnes, Bauer, Benitz, Berentson, Conner, Cunningham, Curtis, Eikenberry, Flanagan, Fortson, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Juelling, Julin, Kilbury, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Luders, Matthews, Morrison, Nelson, Newhouse, North F., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bausch, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Gaines, Gallagher, Gaspard, Goltz, Hawkins, Jastad, Johnson, Kalich, King, Laughlin, Lysen, Maxie, May, McCormick, Moon, North L., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Knowles, Martinis, Rabel, Williams, Zimmerman.

Mr. Kuehnle moved adoption of the following amendment by Representatives Kuehnle and Hansey to the King amendment:

On page 14, line 27 strike all of new section 19 and renumber the remaining sections consecutively.

Mr. Kuehnle spoke in favor of the amendment to the amendment.

Mr. Pardini demanded an electric roll call, and the demand was sustained.

Mr. King spoke against the amendment to the amendment.

#### ROLL CALL

The Clerk called the roll on the amendment by Representatives Kuehnle and Hansey to the King amendment to Engrossed Senate Bill No. 3044, and the amendment was not adopted by the following vote: Yeas, 34; nays, 52; not voting, 12.

Voting yea: Representatives Amen, Barnes, Bauer, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jueling, Kishimoto, Kopet, Kuehnle, Leckenby, Luders, Morrison, Nelson, Newhouse, Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Tilly.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bausch, Bender, Blair, Bluechel, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hawkins, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Maxie, May, McCormick, North F., North L., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Ceccarelli, Hansen, Haussler, Julin, Kraabel, Martinis, Matthews, Moon, Rabel, Williams, Wilson, Zimmerman.

#### EXPLANATION OF VOTE

The voting machine malfunctioned, and I was recorded as "not voting". My vote is "no" on the Kuehnle amendment.

CHARLES MOON, 39th District.

Mr. Kuehnle moved adoption of the following amendment to the King amendment:

On page 19 strike section 26 and insert the following:

"NEW SECTION. Sec. 26. This 1974 amendatory act shall be submitted to the people for their adoption and ratification, or rejection, at a special election hereby ordered by the legislature, which election shall be held in conjunction with the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1974, all in accordance with the provisions of section 1, Article II of the Constitution of the state of

Washington, as amended, and the laws adopted to facilitate the operation thereof."

Mr. Kuehnle spoke in favor of the amendment to the amendment, and Mr. King spoke against it.

Mr. Pardini demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the amendment by Representative Kuehnle to the King amendment to Engrossed Senate Bill No. 3044, and the amendment to the amendment was not adopted by the following vote: Yeas, 27; nays, 65; not voting, 6.

Voting yea: Representatives Barnes, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Honan, Jueling, Julin, Kishimoto, Kuehnle, Morrison, Nelson, Newhouse, Paris, Patterson, Polk, Rabel, Schumaker, Tilly.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kraabel, Laughlin, Leckenby, Lysen, Matthews, Maxie, May, McCormick, Moon, North F., North L., O'Brien, Pardini, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Kopet, Luders, Martinis, Williams, Wilson, Zimmerman.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendment by Representative King as amended to Engrossed Senate Bill No. 3044.

The amendment as amended was adopted.

Mr. King moved adoption of the following amendment to the title:

On line 3 of the title after "29.13.010;" and before "amending" strike "and"

On line 5 of the title after "RCW 29.13.020" and before the period insert "amending section 29.13.070, chapter 9, Laws of 1965 as amended by section 6, chapter 103, Laws of 1965 ex. sess. and RCW 29.13.070; amending section 29.21.010, chapter 9, Laws of 1965 as amended by section 7, chapter 123, Laws of 1965 and RCW 29.21.010; amending section 29.21.015, chapter 9, Laws of 1965 and RCW 29.21.015; amending section 29.21.060, chapter 9, Laws of 1965 as last amended by section 56, chapter 283, Laws of 1969 ex. sess. and RCW 29.21.060; amending section 29.21.140, chapter 9, Laws of 1965 and RCW 29.21.140; amending section 1, chapter 10, Laws of 1970 ex. sess. and RCW 29.21.150; amending section 29.21.160, chapter 9, Laws

of 1965 and RCW 29.21.160; amending section 29.21.230, chapter 9, Laws of 1965 as last amended by section 9, chapter 21, Laws of 1973 2nd ex. sess. and RCW 29.21.230; amending section 35.20.150, chapter 7, Laws of 1965 and RCW 35.20.150; amending section 14, chapter 299, Laws of 1961 and RCW 3.34.050; amending section 2, chapter 61, Laws of 1972 ex. sess. and RCW 29.21.360; amending section 3, chapter 61, Laws of 1972 ex. sess. and RCW 29.21.370; amending section 4, chapter 61, Laws of 1972 ex. sess. and RCW 29.21.380; adding a new section to chapter 29.21 RCW; adding a new section to chapter 29.01 RCW; repealing section 29.21.170, chapter 9, Laws of 1965 and RCW 29.21.170; repealing section 29.24.110, chapter 9, Laws of 1951 and RCW 29.24.110; adding new sections to chapter 29.07 RCW; adding new sections to chapter 9, Laws of 1965 ex. sess. and to chapter 29.18 RCW; repealing section 16, chapter 254, Laws of 1951 and RCW 9.81.100; repealing section 29.18.030, chapter 9, Laws of 1965 as amended by section 1, chapter 103, Laws of 1965 ex. sess. and RCW 29.18.030; amending section 29.18.050, chapter 9, Laws of 1965 and RCW 29.18.050; amending section 29.24.070, chapter 9, Laws of 1965 and RCW 29.24.070; amending section 29.51.170, chapter 9, Laws of 1965 as last amended by section 1, chapter 121, Laws of 1973 1st ex. sess. and RCW 29.51.170; providing civil and criminal penalties; making certain effective dates; and declaring an emergency."

On motion of Mr. Nelson, the following amendment by Representatives Kraabel, Nelson, Blair, Goltz, Charnley and Pullen to the King title amendment was adopted:

On line 1 of the title of Engrossed Senate Bill No. 3044 after "elections;" insert "adding a new section to chapter 9, Laws of 1965, and to chapter 29.04 RCW;"

The title amendment by Representative King as amended was adopted.

Engrossed Senate Bill No. 3044 as amended by the House was passed to the Committee on Rules for third reading.

SUBSTITUTE SENATE BILL NO. 3256, by Committee on Ways and Means:

Reducing the appropriation for salaries and expenses of the Senate.

The bill was read the second time.

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendments see Journal for thirty-second day, 3rd ex. sess., April 15, 1974.)

On motion of Mr. Bagnariol, the first committee amendment was adopted.

Mr. Bagnariol moved adoption of the second committee amendment.

Mr. Morrison moved adoption of the following amendment to the committee amendment:

On line 1 of the committee amendment to page 1, line 12 after "insert" strike "6,408,989" and insert "5,958,989"

Mr. Morrison spoke in favor of the amendment to the committee amendment.

Mr. Pardini demanded an electric roll call and the demand was sustained.

Mr. Bagnariol spoke against the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on the amendment by Mr. Morrison to the committee amendment to Substitute Senate Bill No. 3256, and the amendment was not adopted by the following vote: Yeas, 39; nays, 54; not voting, 5.

Voting yea: Representatives Amen, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Jueling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luder, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Hawkins, Lysen, Martinis, Williams, Zimmerman.

The second committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3256 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3256 as amended by the House, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler,

Hawkins, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Amen, Hoggins, Jueling, Kuehnie, Lysen, Martinis, Williams, Zimmerman.

Substitute Senate Bill No. 3256 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

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AFTERNOON SESSION  
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The House was called to order at 1:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Anderson, Williams and Zimmerman who were excused.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

#### SECOND READING

HOUSE BILL NO. 184, by Representatives Tilly, Hansen, Haussler and Curtis:

Expanding the definition of first class public utility districts.

The bill was read the second time.

Committee on Local Government recommendation: Majority, do pass as amended. (For amendments, see Journal for thirty-second day, 3rd ex. sess., April 15, 1974.)

On motion of Mr. Haussler, the committee amendments were adopted.

House Bill No. 184 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 184 was placed on final passage.

Representatives Tilly and Haussler spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 184, and the bill passed the House by the following vote: Yeas, 70; nays, 24; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Curtis, Eikenberry, Flanagan, Fortson, Freeman, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Jueling, Julin, Kishimoto, Knowles, Kopet, Kraabel, Leckenby, Luders, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Rabel, Randall, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bender, Charnley, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Gaines, Gallagher, Goltz, Hawkins, Johnson, Kalich, Kilbury, King, Laughlin, Lysen, Maxie, Moon, Perry, Savage, Valle, Winsley.

Not voting: Representatives Anderson, Kuehnle, Williams, Zimmerman.

Engrossed House Bill No. 184, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, the following bills were placed on the second reading calendar to be considered in the following order: HOUSE BILL NO. 1377; HOUSE BILL NO. 1404; HOUSE BILL NO. 1504; HOUSE BILL NO. 1545; ENGROSSED SENATE BILL NO. 3358; HOUSE BILL NO. 550; HOUSE BILL NO. 779.

#### SECOND READING

HOUSE BILL NO. 1377, by Representatives Thompson, Pardini, Rabel, Leckenby and Van Dyk:

Making certain changes in the laws relating to correctional institutions.

The bill was read the second time.



On motion of Mr. Adams, Substitute House Bill No. 1377 was substituted for House Bill No. 1377, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1377 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1377 was placed on final passage.

Mr. Thompson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1377, and the bill passed the House by the following vote: Yeas, 93; nays, 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representative Kuehnle.

Not voting: Representatives Anderson, Julin, Williams, Zimmerman.

Substitute House Bill No. 1377, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1404, by Representatives Ceccarelli and Pardini:

Revising prescribed period for holding annual meetings of banks and trust companies.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1404 was placed on final passage.

Mr. Ceccarelli spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1404, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Williams, Zimmerman.

House Bill No. 1404, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1504, by Representatives Adams and Parker:

Enacting the "Health Act of 1974."

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 1504 was substituted for House Bill No. 1504, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1504 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1504 was placed on final passage.

Mr. Adams spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1504, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers,

Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Kopet, Williams, Winsley, Zimmerman.

Substitute House Bill No. 1504, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, consideration of House Bill No. 1545 and Engrossed Senate Bill No. 3358 was deferred, and the bills were ordered placed on tomorrow's second reading calendar.

HOUSE BILL NO. 550, by Representatives Ellis, Garrett, Hansen, Morrison, Newhouse, Benitz, Flanagan and Johnson:

Increasing Yakima county superior court from four to five members.

The bill was read the second time.

On motion of Mr. Knowles, Substitute House Bill No. 550 was substituted for House Bill No. 550, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 550 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 550 was placed on final passage.

Mr. Ellis spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 550, and the bill passed the House by the following vote: Yeas, 83; nays, 10; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis,

Eng, Erickson, Planagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Bluechel, Hayner, Kishimoto, Leckenby, Lysen, Matthews, North L., Pullen.

Not voting: Representatives Anderson, Paris, Williams, Winsley, Zimmerman.

Substitute House Bill No. 550, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, consideration of House Bill No. 779 was deferred until after consideration of House Bill No. 241.

HOUSE BILL NO. 241, by Representatives King, Maxie, Smythe, Lysen, Charnley and Eng:

Exempting from fees those community college students not completing high school.

The bill was read the second time.

Committee on Higher Education recommendation: Majority, do pass as amended. (For amendments, see Journal, page 630, 1973 Regular Session.)

On motion of Ms. Maxie, the first committee amendment was adopted.

Ms. Maxie moved adoption of the second committee amendment.

Ms. Maxie moved adoption of the following amendment by Representatives Maxie, Shinpoch, Eng and King to the second committee amendment:

On page 1, section 3, line 2 of the committee amendment following "of" strike "one million seven hundred thousand four hundred and fifty-two" and insert "five hundred thousand"

Ms. Maxie spoke in favor of the amendment to the amendment.

The amendment to the second committee amendment was adopted.

The second committee amendment as amended was adopted.

The committee amendment to the title was adopted.

House Bill No. 241 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 241 was placed on final passage.

Representatives Maxie and Eng spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 241, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yeas: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnl, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Parker, Williams, Zimmerman.

Engrossed House Bill No. 241, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 779, by Representatives Johnson, Fortson and Laughlin:

Allowing certain public officials to transfer from teachers' retirement to public employees' retirement system and allowing retirement from teachers' retirement system after twenty-five years.

The bill was read the second time.

On motion of Mr. Bauer, Substitute House Bill No. 779 was substituted for House Bill No. 779, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 779 was read the second time.

Mr. Morrison moved adoption of the following amendment by Representatives Bagnariol, Morrison and Kuehnle:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 1, chapter 80, Laws of 1947 as last amended by section 95, chapter 176, Laws of 1969 ex. sess. and RCW 41.32.010 are each amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

(1) 'Accumulated contributions' means the sum of all regular annuity contributions together with regular interest thereon less cost of operation.

(2) 'Actuarial equivalent' means a benefit of equal value when computed upon the basis of such mortality tables and regulations as shall be adopted by the board of trustees and regular interest.

(3) 'Annuity' means the moneys payable per year during life by reason of accumulated contributions of a member.

(4) 'Annuity fund' means the fund in which all of the accumulated contributions of members are held.

(5) 'Annuity reserve fund' means the fund to which all accumulated contributions are transferred upon retirement.

(6) 'Beneficiary' means any person in receipt of a retirement allowance or other benefit provided for by the teachers' retirement law.

(7) 'Contract' means any agreement of service and compensation between a member and an employer.

(8) 'Creditable service' means membership service plus prior service for which credit is allowable.

(9) 'Dependent' means receiving one-half or more of support from a member.

(10) 'Disability allowance' means monthly payments during disability.

(11) 'Earnable compensation' means all salaries and wages paid by an employer to an employee member of the retirement system for personal services rendered during a fiscal year. In all cases where compensation includes maintenance the board of trustees shall fix the value of that part of the compensation not paid in money; PROVIDED, That if a leave of absence, without pay, is taken by a member for the purpose of serving as a member of the state legislature, and such member has served in the legislature 5 or more years, the salary which would have been received for the position from which the leave of absence was taken shall be considered as compensation earnable if the employee's contribution thereon is paid by the employee. In addition, where a member has been a member of the state legislature for 5 or more years, earnable compensation for his two highest compensated consecutive years of service shall include a sum not to exceed thirty-six hundred dollars for each of such two consecutive years, regardless of whether or not legislative service was rendered during those two years.

(12) 'Employer' means the state of Washington, the school district, or any agency of the state of Washington by which the member is paid.

(13) 'Fiscal year' means a year which begins July 1st and ends June 30th of the following year.

(14) 'Former state fund' means the state retirement fund in operation for teachers under chapter 187, Laws of 1923, as amended.

(15) 'Local fund' means any of the local retirement funds for teachers operated in any school district in accordance with the provisions of chapter 163, Laws of 1917 as amended.

(16) 'Member' means any teacher included in the membership of the retirement system. Also, any other employee of the public schools who, on July 1, 1947, had not elected to exempt himself from membership and who, prior to that date, had by an authorized payroll deduction, contributed to the annuity fund.

(17) 'Membership service' means service rendered subsequent to the first day of eligibility of a person to membership in the retirement system; PROVIDED, That where a member is employed by two or more employers during any calendar year he shall not receive more than a total of twelve months of service credit during any such calendar year.

(18) 'Pension' means the moneys payable per year during life from the pension fund.

(19) 'Pension fund' means a fund from which all pension obligations are to be paid.

(20) 'Pension reserve fund' is a fund in the state treasury in which shall be accumulated an actuarial reserve adequate to meet present and future pension liabilities of the system.

(21) 'Prior service' means service rendered prior to the first date of eligibility to membership in the retirement system for which credit is allowable.

(22) 'Prior service contributions' means contributions made by a member to secure credit for prior service.

(23) 'Public school' means any institution or activity operated by the state of Washington or any instrumentality or political subdivision thereof employing teachers, except the University of Washington and Washington State University.

(24) 'Regular contributions' means the amounts required to be deducted from the compensation of a member and credited to his individual account in the annuity fund.

(25) 'Regular interest' means the interest on funds of the retirement system for the current school year and such other earnings as may be applied thereon by the board of trustees.

(26) 'Retirement allowance' means the sum of annuity and pension or any optional benefits payable in lieu thereof.

(27) 'Retirement system' means the Washington state teachers' retirement system.

(28) 'Service' means the time during which a member has been employed by an employer for compensation; PROVIDED, That where a member is employed by two or more employers during any calendar year he shall not receive more than a total of twelve months of service credit during any such calendar year.

(29) 'Survivors' benefit fund' means the fund from which survivor benefits are paid to dependents of deceased members.

(30) 'Teacher' means any person qualified to teach who is engaged by a public school in an instructional, administrative, or supervisory capacity, including state, intermediate school district, city superintendents and their assistants and certificated employees; and in addition thereto any qualified school librarian, any registered nurse or any full time school doctor who is employed by a public school and renders service of an instructional or educational nature.

Sec. 2. Section 26, chapter 80, Laws of 1947 as last amended by section 1, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.260 are each amended to read as follows:

Any member whose public school service is interrupted by active service to the United States as a member of its military, naval or air service, or to the state of Washington, as a member of the legislature, may upon becoming reemployed in the public schools, receive credit for such service upon presenting satisfactory proof, and contributing to the annuity fund, either in a lump sum or installments, such amounts as shall be determined by the board of trustees: PROVIDED (1), That no such military service credit in excess of five years shall be established or reestablished after July 1, 1961, unless the service was actually rendered during time of war: PROVIDED FURTHER (2), That a member of the retirement system who is a member of the state legislature or a state official eligible for the combined pension and annuity provided by RCW 41.32.497, or 41.32.498, as now or hereafter amended shall have deductions taken from his salary in the amount of ((seven and one-half)) six percent of earnable compensation and that service credit shall be established with the retirement system while such deductions are reported to the retirement system, unless he has by reason of his employment become a contributing member of another public retirement system in the state of Washington: AND PROVIDED FURTHER (3), That such elected official who has retired or otherwise terminated his public school service may then elect to terminate his membership in the retirement system and receive retirement benefits while continuing to serve as an elected official; AND, PROVIDED FURTHER (4), That a member of the retirement system who had previous service as an elected or appointed official, for which he did not contribute to the retirement system, may receive credit for such legislative service unless he has received credit for that service in another state retirement system, upon making contributions in such amounts as shall be determined by the board of trustees.

Sec. 3. Section 16, chapter 14, Laws of 1963 ex. sess. as last amended by section 2, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.497 are each amended to read as follows:

Any person who became a member on or before April 25, 1973 and who qualifies for a retirement allowance shall, at time of retirement, make an irrevocable election to receive either the retirement allowance by RCW 41.32.498 as now or hereafter amended or to receive a retirement allowance pursuant to this section consisting of: (1) An annuity which shall be the actuarial equivalent of his accumulated



contributions at his age of retirement, (2) A basic service pension of one hundred dollars per annum, and (3) A service pension which shall be equal to one one-hundredth of his average earnable compensation for his two highest compensated consecutive years of service times the total years of creditable service established with the retirement system: PROVIDED, That no beneficiary now receiving benefits or who receives benefits in the future, except those beneficiaries receiving reduced benefits pursuant to RCW 41.32.520 (1), options 2 and 3 provided in RCW 41.32.530, or options 2 or 3 of RCW 41.32.498 as now or hereafter amended, shall receive a pension of less than six dollars and fifty cents per month for each year of creditable service established with the retirement system. Pension benefits payable under the provisions of this section shall be prorated on a monthly basis and paid at the end of each month(~~(=~~ PROVIDED FURTHER, That notwithstanding the provisions of subsections ~~{1}~~ through ~~{3}~~ of this section, the retirement allowance payable for service where a member was elected or appointed to the office of state senator, state representative or superintendent of public instruction shall be equal to three percent of the average earnable compensation of his two highest consecutive years of service, whether or not elected or appointed service, for each year of such elected or appointed service. However, the initial retirement allowance of a member retiring only under the provisions of this proviso shall not exceed the average final compensation upon which the retirement allowance is based. In addition, the member shall be allowed to have the pension provided by this proviso adjusted and paid pursuant to the options provided in RCW 41.32.530, as now or hereafter amended)).

Sec. 4. Section 3, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.498 are each amended to read as follows:

Any person who becomes a member subsequent to April 25, 1973 or who has made the election, provided by RCW 41.32.497, to receive the benefit provided by this section, shall receive a retirement allowance consisting of:

(1) An annuity which shall be the actuarial equivalent of his additional contributions on full salary as provided by chapter 274, Laws of 1955 and his lump sum payment in excess of the required contribution rate made at date of retirement, pursuant to RCW 41.32.350, if any; and

(2) A combined pension and annuity service retirement allowance which shall be equal to two percent of his average earnable compensation for his two highest compensated consecutive years of service times the total years of creditable service established with the retirement system, to a maximum of sixty percent of such average earnable compensation: PROVIDED, That any member may irrevocably elect, at time of retirement, to withdraw all or a part of his accumulated contributions and to receive, in lieu of the full retirement allowance provided by this subsection, a reduction in the standard two percent allowance, of the actuarially determined amount of monthly annuity which would have been purchased by said contributions: PROVIDED FURTHER, That no member may

withdraw an amount of accumulated contributions which would lower his retirement allowance below the minimum allowance provided by RCW 41.32.497 as now or hereafter amended: AND PROVIDED FURTHER, That said reduced amount may be reduced even further pursuant to the options provided in subsection (4) below;

(3) ((Any member covered by this subsection who upon retirement has served ten or more years shall receive a retirement allowance of at least one thousand two hundred dollars per annum; such member who has served fifteen or more years shall receive a retirement allowance of at least one thousand eight hundred dollars per annum; and such member who has served twenty or more years shall receive a retirement allowance of at least two thousand four hundred dollars per annum. However, the initial retirement allowance of a member retiring only under the provisions of this subsection shall not exceed the average final compensation upon which the retirement allowance is based. The minimum benefits provided in this subsection shall apply to all retired members or to the surviving spouse of deceased members who were elected to the office of state senator or state representative. Accumulated contributions for elected or appointed service may only be withdrawn if the member elects to waive the pension provided by this subsection. In addition, the member shall be allowed to have the pension provided by this subsection adjusted and paid pursuant to the options provided in subsection (4) below:)) Notwithstanding the provisions of subsections (1) and (2) of this section, the retirement allowance payable for service of a member who was state superintendent of public instruction on January 1, 1973 shall be equal to three percent of the average earnable compensation of his two highest consecutive years of service for each year of such service.

(4) Upon an application for retirement approved by the board of trustees every member shall receive the maximum retirement allowance available to him throughout life unless prior to the time the first installment thereof becomes due he has elected to receive the reduced amount provided in subsection (2) and/or has elected by executing the proper application therefor, to receive the actuarial equivalent of his retirement allowance in reduced payments throughout his life, with the options listed below:

Option 1. If he dies before he has received the present value of his accumulated contributions at the time of his retirement by virtue of the annuity portion of his retirement allowance, the unpaid balance shall be paid to his estate or to such person as he shall have nominated by written designation executed and filed with the board of trustees.

Option 2. Upon his death his adjusted retirement allowance shall be continued throughout the life of and paid to such person as he shall have nominated by written designation duly executed and filed with the board of trustees at the time of his retirement.

Option 3. Upon his death one-half of his adjusted retirement allowance shall be continued throughout the life of and paid to such person as he shall have nominated by

written designation executed and filed with the board of trustees at the time of his retirement.

NEW SECTION. Sec. 5. (1) Subsection (3) of section 4 of this 1974 amendatory act relating to elected and appointed officials shall be retroactive to January 1, 1973.

(2) Amendatory language contained in subsection (11) of section 1 relating to members as members of the legislature and in provisos (2) and (3) of section 2 of this 1974 amendatory act shall only apply to those members who are serving as a state senator, state representative or state superintendent of public instruction on or after the effective date of this 1974 amendatory act.

(3) Notwithstanding any other provision of this 1974 amendatory act, RCW 41.32.497 as last amended by section 2, chapter 189, Laws of 1973 1st sess. shall be applicable to any member serving as a state senator, state representative or superintendent of public instruction on the effective date of this 1974 amendatory act.

NEW SECTION. Sec. 6. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 7. If any provision of this 1974 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected."

Representatives Morrison, Bagnariol and Kuehnle spoke in favor of the amendment.

The amendment was adopted.

On motion of Mr. Morrison, the following amendment to the title was adopted:

Strike all of the title and insert the following:

"AN ACT Relating to public employment; amending section 1, chapter 80, Laws of 1947 as last amended by section 95, chapter 176, Laws of 1969 ex. sess. and RCW 41.32.010; amending section 26, chapter 80, Laws of 1947 as last amended by section 1, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.260; amending section 16, chapter 14, Laws of 1963 ex. sess. as last amended by section 2, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.497; amending section 3, chapter 189, Laws of 1973 1st ex. sess. and RCW 41.32.498; creating new sections; providing for the retroactive effect of certain provisions; and declaring an emergency."

Substitute House Bill No. 779 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 779 was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 779, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Berentson, Williams, Zimmerman.

Engrossed Substitute House Bill No. 779, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 869, by Representative Luders:

Relating to pollution.

The bill was read the second time.

On motion of Mr. Luders, Substitute House Bill No. 869 was substituted for House Bill No. 869, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 869 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 869 was placed on final passage.

Mr. Luders spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 869, and the bill passed the House by the following vote: Yeas, 90; nays, 1; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers,

Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Johnson, Juelling, Julin, Kalich, Kilbury, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representative King.

Not voting: Representatives Anderson, Jastad, Kraabel, Polk, Rabel, Williams, Zimmerman.

Substitute House Bill No. 869, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1043, by Representative Kilbury:

Relating to agriculture.

House Bill No. 1043 was read the second time.

On motion of Mr. Kilbury, Second Substitute House Bill No. 1043 was substituted for House Bill No. 1043, and the second substitute bill was placed on the calendar for second reading.

#### MOTION

On motion of Mr. Charette, further consideration of Second Substitute House Bill No. 1043 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 1177, by Representatives Charette, Newhouse and Cunningham:

Establishing qualifications for persons assessing personal property.

The bill was read the second time.

Committee on Ways and Means - Revenue recommendation: Majority do pass as amended. (For amendments see Journal, thirty-second day, 3rd ex. sess., April 15, 1974.)

On motion of Mr. Charette, the committee amendments were adopted.

House Bill No. 1177 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1177 was placed on final passage.

Mr. Charette spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1177, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Julin, Lysen, Williams, Zimmerman.

Engrossed House Bill No. 1177, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1230, by Representatives Jastad, Chatalas, Conner, Moon and Matthews:

Providing for dental examining board and dental examiners.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 1230 was substituted for House Bill No. 1230, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1230 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1230 was placed on final passage.

Mr. Jastad spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1230, and the bill passed the House by the following vote: Yeas, 96; nays, 0; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Williams, Zimmerman.

Substitute House Bill No. 1230, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1279, by Representatives Douthwaite, Blair, Chatalas, Kraabel and Nelson:

Raising renewal fees for professional engineers and surveyors.

The bill was read the second time.

Committee on Commerce recommendation: Majority, do pass as amended. (For amendments, see Journal for thirty-third day, 3rd ex. sess., April 16, 1974.)

On motion of Mr. Douthwaite, the committee amendments were adopted.

House Bill No. 1279 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1279 was placed on final passage.

Mr. Douthwaite spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1279, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Rabel, Savage, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Pullen, Schumaker.

Not voting: Representatives Randall, Williams, Zimmerman.

Engrossed House Bill No. 1279, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, consideration of House Bill No. 1288 was deferred, and the bill was ordered placed at the bottom of today's second reading calendar.

HOUSE BILL NO. 1526, by Representative Matthews:

Providing a lien for services for ambulance companies.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and House Bill No. 1526 was placed on final passage.

Mr. Matthews spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1526, and the bill passed the House by the following vote: Yeas, 90; nays, 3; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May,



McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Hawkins.

Not voting: Representatives Johnson, Kuehnle, Lysen, Williams, Zimmerman.

House Bill No. 1526, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Charette, all bills remaining on today's calendar were held for the calendar of the next working day.

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

On motion of Mr. Thompson, HOUSE BILL NO. 1412 was rereferred from the Committee on Ways and Means - Appropriations to the Committee on Local Government.

On motion of Mr. Charette, the House adjourned until 9:30 a.m., Friday, April 19, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Wash., Friday, April 19, 1974.

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present, except Representative Zimmerman who was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Howard Perry of St. John's Episcopal Church of Olympia.

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

MESSAGE FROM THE SENATE

April 17, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2156,

SENATE BILL NO. 3169,

ENGROSSED SUBSTITUTE SENATE BILL NO. 3277,

SENATE BILL NO. 3380,

SENATE BILL NO. 3383,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 2156, by Senators Francis, Murray, Grant, Ridder and Woody (by Attorney General request):

AN ACT Relating to commercial transactions; amending section 2-316, chapter 157, Laws of 1965 ex. sess. as amended by section 1, chapter 78, Laws of 1974 1st ex. sess. and RCW 62A.2-316; amending section 2-719, chapter 157, Laws of 1965 ex. sess. as amended by section 2, chapter 78, Laws of 1974 1st ex. sess. and RCW 62A.2-719; and adding a new section to Title 63 RCW.

MOTION

On motion of Mr. Charette, the rules were suspended, and Engrossed Senate Bill No. 2156 was placed on today's second reading calendar.

SENATE BILL NO. 3169, by Senator Walgren:

AN ACT Relating to crimes and criminal procedure; adding a new section to chapter 9.26A RCW; adding a new section to chapter 9.45 RCW; defining crimes; and prescribing penalties.

To Committee on Judiciary.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3277, by Committee on Ecology (Originally sponsored by Senators Washington and Murray):

AN ACT Relating to environmental policy; amending section 2, chapter 179, Laws of 1973 1st ex. sess. and RCW 43.21C.080; adding a new section to chapter 67, Laws of 1970 ex. sess. and to chapter 43.21B RCW; adding new sections to chapter 109, Laws of 1971 ex. sess. and to chapter 43.21C RCW; making an appropriation; and declaring an emergency.

## MOTION

On motion of Mr. Charette, the rules were suspended, and Engrossed Substitute Senate Bill No. 3277 was placed on today's second reading calendar.

SENATE BILL NO. 3380, by Committee on Social and Health Services (Endorsed by Senators Day, Van Hollebeke, Ridder (Ruth), Connor, Jones, Clarke, Murray, von Reichbauer and Francis):

AN ACT Relating to health care services; enabling the hospital commission to undertake a state cost containment control program in lieu of a federal control program as authorized under federal law and regulation; amending section 15, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.30.140; and declaring an emergency.

To Committee on Social and Health Services.

SENATE BILL NO. 3383, by Committee on Higher Education (Endorsed by Senators Sandison, Guess, Scott, Metcalf, Donohue and Marsh):

AN ACT Relating to higher education; reenacting section 28B.10.660, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 9, Laws of 1973 1st ex. sess. and section 4, chapter 147, Laws of 1973 1st ex. sess. and RCW 28B.10.660; reenacting section 3, chapter 279, Laws of 1971 as amended by section 1, chapter 46, Laws of 1973 1st ex. sess. and by section 2, chapter 130, Laws of 1973 1st ex. sess. and RCW 28B.15.041; repealing section 28B.50.570, chapter 223, Laws of 1969 ex. sess., section 23, chapter 62, Laws of 1973 and RCW 28B.50.570; declaring an emergency and providing an

effective date.

To Committee on Higher Education.

REPORTS OF STANDING COMMITTEES

April 18, 1974  
HOUSE BILL NO. 1165, Prime sponsor: Representative Kilbury, providing for the salary of a full-time prosecuting attorney in 4th class counties, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

On page 5, line 12 after "be" strike "twenty-one thousand five" and insert "twenty-three thousand seven"

On page 6, beginning on line 18 after "than" strike "twenty-one thousand five" and insert "twenty-three thousand seven"

Signed by Representatives Haussler, Chairman; Johnson, Subcommittee Chairwoman; Kalich, Subcommittee Chairman; Adams, Blair, Honan, Kishimoto, Laughlin, Nelson, North (Frances), Patterson, Sommers.

To Committee on Rules for second reading.

April 18, 1974  
ENGROSSED SENATE BILL NO. 3243, Prime sponsor: Senator Grant, providing for public disclosure by public officials, reported by Committee on Constitution and Elections.

MAJORITY recommendation: Do pass with the following amendments:

On page 7, line 17 after the period add

"Sec. 5. Section 6, chapter 1, Laws of 1973 and RCW 42.17.060 are each amended to read as follows:

(1) All monetary contributions received by a candidate or political committee shall be deposited by the campaign treasurer or deputy treasurer in a campaign depository in an account designated, 'Campaign Fund of \_\_\_\_\_' (name of candidate or political committee).

(2) All deposits made by a campaign treasurer or deputy campaign treasurer shall be accompanied by a statement containing the name of each person contributing the funds so deposited and the amount contributed by each person: PROVIDED, That contributions not exceeding five dollars from any one person may be deposited without identifying the contributor. The statement shall be in triplicate, upon a form prescribed by the commission, one copy to be retained by the campaign depository for its records, one copy to be filed by the campaign treasurer with the commission, and one copy to be retained by the campaign treasurer for his records. In the event of deposits made by a deputy campaign treasurer, the third copy shall be forwarded to the campaign treasurer to be retained by him for his records. Each statement shall be

certified as correct by the campaign treasurer or deputy campaign treasurer making the deposit.

(3) ((a) Accumulated anonymous contributions in excess of one dollar from any individual contributor; and (b)) Accumulated anonymous contributions in excess of one percent of the total accumulated contributions received to date in the current calendar year or three hundred dollars (whichever is ~~((less))~~ greater), shall not be deposited, used or expended, but shall be returned to the donor, if his identity can be ascertained. If the donor cannot be ascertained, the contribution shall escheat to the state, and shall be paid to the state treasurer for deposit in the state general fund.

NEW SECTION. Sec. 6. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On line 4 of the title after the semicolon strike "and"

On line 5 of the title before the period insert "; amending section 6, chapter 1, Laws of 1973 and RCW 42.17.060; and declaring an emergency"

Signed by Representatives King, Chairman; Fortson, Vice Chairwoman; Barnes, Eng, Erickson, Hawkins, Hayner, Knowles, Maxie.

To Committee on Rules for second reading.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) recognized within the House Chamber the Royal Court of the Stanwood-Camano Fair, and asked Representatives Fortson, Martinis, Berentson, Hansey, Hansen and Clemente to escort them to the rostrum.

The Speaker (Mr. O'Brien presiding) introduced Princesses Pam Garrison and Cathy Gilbert.

The Speaker (Mr. O'Brien presiding) introduced Queen Linda Potts, and she invited the members to attend the Stanwood-Camano Fair.

The Speaker (Mr. O'Brien presiding) requested the committee to escort the Royal Court from the House Chamber.

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

The Speaker called the House to order.

#### MOTION

On motion of Mr. Charette, the House reverted to the third order of business.

## MESSAGE FROM THE GOVERNOR

February 15, 1974

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval SUBSTITUTE HOUSE BILL NO. 541 entitled:

"AN ACT Relating to injunctions or restraining orders affecting construction contracts."

This bill provides additional criteria which must be considered by a court in determining the amount of a bond required under RCW 7.40.080 relating to injunction bonds. Presumably the purpose of these additional criteria is to discourage frivolous applications for injunctions against public construction projects.

Under existing law as set forth in RCW Chapter 7.40, safeguards are already provided to protect an adverse party affected by a temporary restraining order or an injunction, including the requirement of an injunction bond. RCW 7.40.080 already requires a bond which would cover "all damages and costs which may accrue by reason of the injunction or restraining order." I believe this language of the present statute allows sufficient protection for an adverse party, and the provisions of subsections (1) and (3) in section 1 of the bill add nothing to the statutory authority or discretion of a court in considering the amount of an injunction bond.

Moreover, the damages contemplated by subsection (2) of section 1 of the bill are entirely speculative. A court would have no authoritative basis on which to arrive at a proper amount for an injunction bond under this subsection.

For these reasons, I have determined to veto Substitute House Bill No. 541 in its entirety.

Respectfully submitted,  
DANIEL J. EVANS,  
GOVERNOR.

## MOTION

Mr. Eikenberry moved that the House do pass Substitute House Bill No. 541 notwithstanding the Governor's veto.

Representatives Eikenberry and Knowles spoke in favor of the motion, and Representative Pardini spoke against it.

## POINT OF INQUIRY

Mr. Pardini yielded to question by Mr. Flanagan.

Mr. Flanagan: "Representative Pardini, when you define this as only affecting public property--if an individual business, or person or corporation would lease property or other resources from a public agency to use for private business, would this be considered as within the definition of a public project?"

Mr. Pardini: "I'm not sure I understand your question, Representative Flanagan. If a person leases property from the state does that make it a public project?"

Mr. Flanagan: "If a business leases from the Department of Natural Resources and uses it for private purposes, is this included as a public project?"

Mr. Pardini: "I'm not lawyer enough to answer, but I believe the subject matter before us deals primarily with construction contracts of public agencies."

Mr. Flanagan: "I wonder if it is just public construction or whether it would include publicly-owned resources or property that are leased by private business?"

Mr. Pardini: "I think the normal procedure under the lease arrangement is the lease arrangement generally provides what improvements or constructions may be made by the lessor in the original lease agreement. My understanding of the issue before us is public construction projects for construction by public agencies."

Mr. Leckenby spoke in favor of the motion, and Mr. Julin spoke against it.

#### PARLIAMENTARY INQUIRY

Mr. Polk: "How many votes will be required today for an override?"

The Speaker: "Two-thirds of the members voting, so it depends on who votes."

Mr. Polk: "Mr. Speaker, looking at the Constitution, it says two-thirds of the members present."

The Speaker: "We have always held that all members present at the time a vote is placed are supposed to be voting, but we have used that as our guideline as to who is present at that particular time."

Mr. Polk: "May I ask, then, how many members have answered roll?"

The Speaker: "Ninety-seven."

Mr. Eikenberry spoke again in favor of the motion.

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

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present, except Representatives Conner and Zimmerman.

## MOTION

On motion of Mr. Charette, the House excused the absent members and proceeded with business under the Call of the House.

The Speaker stated the question before the House to be the motion by Mr. Eikenberry that the House do pass Substitute House Bill No. 541 notwithstanding the Governor's veto.

## ROLL CALL

The Clerk called the roll on the motion that the House do pass Substitute House Bill No. 541 notwithstanding the Governor's veto, and the bill was passed by the following vote: Yeas, 73; nays, 23; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kuehne, Laughlin, Leckenby, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., O'Brien, Parker, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Bluechel, Brown, Charnley, Douthwaite, Eng, Flanagan, Hendricks, Hoggins, Julin, Kopet, Kraabel, Luders, Lysen, Morrison, Newhouse, North L., Pardini, Paris, Patterson, Rabel, Williams.

Not voting: Representatives Conner, Zimmerman.

Substitute House Bill No. 541 notwithstanding the Governor's veto, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE GOVERNOR

February 15, 1974

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain sections HOUSE BILL NO. 916 entitled:

"AN ACT Relating to outdoor advertising."

Sections 1, 2 and 3 of this bill exempt from the application of the 1971 Highway Advertising Control Act all type 3 on-premise signs located within an incorporated city or town or within a commercial or industrial area. Section 4 adds a new route to the scenic highway system.



The 1971 Act was enacted after considerable compromise and negotiation by and between all interested groups, and the principal control portions are not to take effect until May, 1974. The exemptions enacted in House Bill 916 virtually destroy the integrity of the 1971 Act, by not only eliminating controls over on-premise signs within incorporated cities and towns but also within "commercial and industrial areas" which is a term very broadly defined in the 1971 Act.

Even after May, 1974, the statute as it presently reads allows for two on-premise signs for each business establishment, one facing in each direction alongside an interstate or primary highway. This ensures that these businesses will retain their essential visual identification.

For these reasons, I have determined to veto sections 1, 2 and 3 of the bill. With these exceptions, the remainder of House Bill No. 916 is approved.

Respectfully submitted,  
DANIEL J. EVANS,  
Governor.

#### MOTION

Mrs. McCormick moved that the House do pass House Bill No. 916 notwithstanding the Governor's veto of section 1, 2 and 3.

Representatives McCormick and Perry spoke in favor of the motion, and Representatives Charnley and Kraabel spoke against it.

#### POINT OF PERSONAL PRIVILEGE

Mr. Tilly: "Mr. Speaker, members of the House, I believe that I should be excused from voting on this issue of overriding the Governor's veto on House Bill No. 916 because I do have a financial interest in a sign company in Wenatchee."

#### SPEAKER'S RULING

The Speaker: "Representative Tilly, I realize your dilemma, but I think we have consistently felt in this House that as long as you are a member of a class or group of people that it revolves around, you have no greater interest than anyone else in a general classification or general group. You do not come within Rule 66 or the Constitutional provision that says that you shall not vote when you have a conflict of interest. Yours is not a direct interest in regard to any difference in any other class. Otherwise it would be an impossibility to find very few issues that members do not have some sort of an interest in. Since your interest is clearly of a class matter, then it would be the ruling of the Speaker that you would be required to vote."

Mrs. Hayner spoke in favor of the motion, and Mr. Charnley spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to pass House Bill No. 916 notwithstanding the Governor's veto of sections 1, 2 and 3, and the bill passed the House by the following vote: Yeas, 67; nays, 29; not voting, 2.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Parker, Perry, Pullen, Randall, Savage, Schumaker, Thompson, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Blair, Bluechel, Brown, Charnley, Cunningham, Douthwaite, Eng, Flanagan, Goltz, Hawkins, Hoggins, Honan, Julin, King, Kraabel, Moon, North L., Paris, Patterson, Polk, Rabel, Shipoch, Smith, Sommers, Tilly, Valle, Williams.

Not voting: Representatives Conner, Zimmerman.

## MESSAGE FROM THE SENATE

April 17, 1974

Mr. Speaker:

The Senate has passed SENATE BILL NO. 3023 notwithstanding the Governor's veto, and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## MOTION

Mr. Kilbury moved that the House pass Senate Bill No. 3023 notwithstanding the Governor's veto.

Mr. Kilbury spoke in favor of the motion.

## POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Julin.

Mr. Julin: "Would you advise the body how many acres can be irrigated by 50 cubic feet per second?"

Mr. Kilbury: "Depending on the soil, from 2,000 to 3,500."

Mr. Julin spoke against the motion to pass Senate Bill No. 3023 notwithstanding the Governor's veto.

Representatives Hayner, Flanagan, Hansen, Newhouse, Eikenberry and Schumaker spoke in favor of the motion, and Representatives Blair and North (Lois) spoke against it.

## ROLL CALL

The Clerk called the roll on the motion to pass Senate Bill No. 3023 notwithstanding the Governor's veto, and the bill passed the House by the following vote: Yeas, 79; nays, 17; not voting, 2.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Thompson, Tilly, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Brown, Charnley, Douthwaite, Hawkins, Hoggins, Julin, Kraabel, Nelson, North F., North L., Pardini, Rabel, Sommers, Valle, Williams.

Not voting: Representatives Conner, Zimmerman.

Senate Bill No. 3023 notwithstanding the Governor's veto, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

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

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

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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AFTERNOON SESSION  
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The House was called to order at 2:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Zimmerman who was excused.

Mr. Charette demanded a Call of the House, and the demand was sustained.

## CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representative Zimmerman.

## MOTION

On motion of Mr. Charette, the absent member was excused, and the House proceeded with business under the Call of the House.

## MESSAGE FROM THE GOVERNOR

February 19, 1974

TO THE HONORABLE,  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain items SUBSTITUTE HOUSE BILL NO. 473 entitled:

"AN ACT Relating to gambling."

The items which I have vetoed are as follows:

1. Definition of "amusement games."

Section 2 (1) (f) (iii) contains a proviso that provides that participants in amusement games are not gamblers and that such amusement games are not to be defined as gambling.

The effect of the proviso is to take all amusement games as defined in the statute and participants in such games out of the gambling laws and thus preclude enforcement of criminal penalties where there have been criminal violations. I have accordingly vetoed the referenced item.

2. Definition of "bona fide charitable or nonprofit organization."

Section 2 (3) contains an item striking existing language which creates a presumption that an organization is not a bona fide charitable or nonprofit organization if contributions to the organization do not qualify as charitable contributions for tax purposes. The present language is a necessary element in the operation of the Gambling Commission as it places a strict burden of proving the qualifying status on an applicant. This is a necessary safeguard in the law to prevent the doors from being opened to professional gambling activities. I have therefore vetoed the referenced item.

3. Definition of "raffle."

Section 2 (17) contains amendatory language attempting to clarify that proceeds of a raffle may indeed inure to the benefit of the winner or winners of prizes. I have vetoed the item consisting of such language because I believe it is redundant, and that it further raises a problem in other sections of the bill by creating a presumption that proceeds may not go to winners of amusement games (Section 2 (1)) and bingo games (Section 2(4)) since the same amendatory language was not placed in those subsections.

#### 4. Definition of "social card game."

Section 2(18)(d) contains a proviso that would allow a bona fide charitable or nonprofit organization to charge a membership fee or admission fee for the playing of social card games. This would open the way for such an organization to increase its membership fee or admission fee to such an extent as to collect, in effect, a charge for allowing members to engage in social card games. Such a charge is prohibited in the first part of subsection (d) in Section 2(18). Accordingly, I have vetoed the referenced proviso.

#### 5. Authorization of social card games.

Sections 3 and 4 of the bill contain three items that would unduly and unwisely broaden the authorization of social card games which is the heart of the amendatory language in Section 3. The item "and guests" in Section 3, subsection 1 on page 12, would open the way for any outsiders to participate in social card games on the premises of a licensed organization so long as they are characterized as guests.

Section 3(3) and Section 4(2) contain items which would allow any person, association, or organization to conduct social card games as a commercial stimulant.

These items all have the effect of paving the way for public card rooms which pose serious problems of enforcement to local police officials and foster a climate of open tolerance and/or clandestine payoffs for nonenforcement of gambling laws and regulations. Accordingly, I have vetoed these items.

#### 6. Gambling Commission powers and duties.

Section 4(5) of the bill contains two items restricting the investigative powers of the Commission in requiring fingerprints for background checks. One item restricts such a check to persons holding a "managerial or ownership" interest in the gambling activity. This provision would encourage those persons who do not wish to reveal their backgrounds to set up sham corporations or organizations to evade this requirement.

Another item restricts the power of fingerprinting to only those cases where there is reason to believe a background check would disclose criminal activity. This restriction creates a situation where an unwarranted presumption of past criminal activity exists each time the Commission sees fit to require fingerprinting.

I do not believe that the Commission has exercised or is about to exercise its fingerprinting power in an arbitrary and capricious manner or in any manner for the sole purpose of harassing an applicant. The items creating the restrictions are not warranted and I have therefore vetoed the same.

#### 7. Admission fees for social card games.

Subsections 10 and 11 in Section 4 authorize the Gambling Commission to regulate and establish admission fees for playing in social card games. I have stated earlier that the admission fee can serve as a subterfuge against the prohibition of charging an amount for playing in social card games and have therefore vetoed the referenced subsections.

#### 8. Local option on gambling.

Section 6 contains an item consisting of a proviso which precludes a county or city from prohibiting social card games in an organization licensed to conduct such games without imposing or collecting any admission fee.

I see no good reason why a county or city, if it chooses to prohibit bingo and raffle games, should not be allowed to prohibit social card games even if an organization has previously been licensed to conduct such games, and have therefore vetoed that item.

9. Punch board and pull-tab regulation.

RCW 9.46.110 presently requires the reporting of all winners of over five dollars in money or merchandise from punch boards and pull-tabs. An item in Section 8 of the bill would raise the amount to fifty dollars.

This higher amount would cover most, if not all winning punches or pulls, and would therefore effectively remove this reporting requirement. This would thereby remove the safeguard in the law against an owner or licensee of punchboards and pull-tabs from punching or pulling the larger winning numbers before a player has taken his chance, since there would be no way of determining the person or persons who made winning plays.

10. Class actions for damages.

RCW 9.46.200 presently allows any civil action under that section to be considered a class action. Section 10 of the bill contains an item striking that provision of the law. Removal of that provision would have the effect of discouraging persons who have wrongfully suffered losses and damages from bringing suit against a wrongdoer unless the amount of his loss or damage were substantial enough to justify the costs and expenses attendant to a lawsuit. I believe the original intent of the law should be restored, and have therefore vetoed the referenced item.

11. Effective date.

Section 14 of the bill declares an emergency, sets an effective date, and provides that the bill is subject to referendum. Our State Constitution clearly states in Article II, Section 1(b) that the right of referendum does not exist as to laws "necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions." Section 14 is therefore wholly inconsistent in its component parts. I believe the people must have a right of referendum on a bill of this nature, and the Legislature has not, in my opinion, preserved that right effectively in Section 14. I have therefore vetoed the entire section.

With the exception of the foregoing items, the remainder of Substitute House Bill No. 473 is approved.

Respectfully submitted,  
DANIEL J. EVANS,  
Governor.

MOTION

Mrs. Wojahn moved that the proviso on page 11, subsection (18) (d) of section 2, of Substitute House Bill No. 473 do pass the House notwithstanding the Governor's veto thereof.

## POINT OF ORDER

Mr. Newhouse: "My point of order is that this veto message is written in sections and if I would interpret Mrs. Wojahn's motion, she is now addressing subsection (4) of the veto message. Are we going through this veto message in order--are we then to have no motions to override sections 1, 2 and 3?"

Mrs. Wojahn: "Mr. Speaker, ladies and gentlemen of the House, I am suggesting that the several vetoes that are inter-related in sequence would make it much easier for you to follow your bill. If one of these first four is not overridden, then all of them would fail, and I would ask you to do that because they are inter-related in the bill itself, and so the motion would still stand then, that the proviso on page 11, subsection (18)(d) of section 2 of Substitute House Bill No. 473 do pass the House notwithstanding the Governor's veto thereof."

Representatives Wojahn and Kuehnle spoke in favor of the motion.

## ROLL CALL

The Clerk called the roll on the motion that the House pass the proviso on page 11, section 2 (18)(d) of Substitute House Bill No. 473 notwithstanding the Governor's veto, and the proviso was passed by the following vote: Yeas, 72; nays, 25; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Benitz, Berentson, Ceccarelli, Charette, Clemente, Conner, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, North P., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Shinoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Bluechel, Brown, Charnley, Chatalas, Cunningham, Douthwaite, Eikenberry, Freeman, Gilleland, Goltz, Hoggins, Julin, Kishimoto, Kopet, Kraabel, Leckenby, Matthews, Newhouse, North L., Paris, Pullen, Rabel, Williams.

Not voting: Representative Zimmerman.

## MOTION

Mrs. Wojahn moved that the words "conduct social card games and to", page 12, section 3(3) of Substitute House Bill No. 473 do pass notwithstanding the Governor's veto.

Representatives Wojahn and Kuehnle spoke in favor of the motion, and Mr. Pullen spoke against it.

## ROLL CALL

The Clerk called the roll on the veto override of page 12, section 3(3) of Substitute House Bill No. 473, and the section passed the House by the following vote: Yeas, 73; nays, 24; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., O'Brien, Pardini, Parker, Patterson, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Bluechel, Brown, Charnley, Cunningham, Douthwaite, Eikenberry, Freeman, Gilleland, Hawkins, Hoggins, Julin, Kopet, Kraabel, Leckenby, Matthews, Newhouse, North L., Paris, Polk, Pullen, Rabel, Williams.

Not voting: Representative Zimmerman.

## MOTION

Mrs. Wojahn moved that the words "and to conduct social card games" on page 14, section 4(2) of Substitute House Bill No. 473 do pass the House notwithstanding the Governor's veto thereof.

Mrs. Wojahn spoke in favor of the motion.

## ROLL CALL

The Clerk called the roll on the veto override of page 14, section 4(2) of Substitute House Bill No. 473, and the section passed the House notwithstanding the Governor's veto by the following vote: Yeas, 71; nays, 26; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kuehnle, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., O'Brien, Parker, Patterson, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Bluechel, Brown, Charnley, Cunningham, Douthwaite, Eikenberry, Freeman, Gilleland, Hawkins, Hoggins, Julin, Kopet, Kraabel, Leckenby, Lysen, Matthews, Newhouse, North L., Pardini, Paris, Polk, Pullen, Rabel, Williams.



Not voting: Representative Zimmerman.

MOTION

Mrs. Wojahn moved that subsection 10 of section 4, pages 16 and 17 of Substitute House Bill No. 473 do pass the House notwithstanding the Governor's veto thereof.

Mrs. Wojahn spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion that subsection 10, section 4, pages 16 and 17 of Substitute House Bill No. 473 do pass the House notwithstanding the Governor's veto, and the motion passed by the following vote: Yeas, 69; nays, 28; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Ehlers, Ellis, Eng, Erickson, Planagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kuehnle, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, Morrison, Nelson, North F., O'Brien, Parker, Patterson, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Blair, Bluechel, Brown, Charnley, Cunningham, Douthwaite, Eikenberry, Freeman, Gilleland, Goltz, Hawkins, Hoggins, Julin, Kopet, Kraabel, Leckenby, Lysen, Matthews, Newhouse, North L., Pardini, Paris, Polk, Pullen, Rabel, Valle, Williams.

Not voting: Representative Zimmerman.

MOTION

Mrs. Wojahn moved that the words "and guests" appearing on page 12, section 3(1) of Substitute House Bill No. 473 do pass the House notwithstanding the Governor's veto thereof.

Mrs. Wojahn spoke in favor of the motion, and Mr. Hoggins spoke against it.

POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mr. Charnley.

Mr. Charnley: "Thank you, Representative Wojahn, I am curious when you use the words it would 'allow a member to bring a guest.' I don't read in here that it says he can bring a guest, it says 'and guests.' Isn't it true that he could bring any number of guests in?"

Mrs. Wojahn: "Yes, that is true, but it is still subject to the rules and regulations of the club, who are subject to the rules and regulations and licensing of the

Gambling Commission, and I don't think that a club is going to permit anyone on the club premises to, in effect, steal from the members. The club manager stands to risk the license of the club, stands to suffer a severe penalty, like a felony, and I don't believe that this is going to hurt anything."

Mr. Kalich spoke in favor of the motion, and Mr. Pullen spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House pass the words "and guests" in section 3(1), page 12, of Substitute House Bill No. 473 notwithstanding the Governor's veto, and the motion carried by the following vote: Yeas, 68; nays, 29; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Berentson, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Moon, Morrison, North F., O'Brien, Parker, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Benitz, Blair, Bluechel, Brown, Cunningham, Douthwaite, Eikenberry, Freeman, Gilleland, Goltz, Hawkins, Hoggins, Julin, Kishimoto, Kopet, Kraabel, Lysen, Matthews, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Williams.

Not voting: Representative Zimmerman.

#### MOTION

Mrs. Wojahn moved that the proviso in section 6, page 20 of Substitute House Bill No. 473 do pass notwithstanding the Governor's veto thereof.

#### ROLL CALL

The Clerk called the roll on the motion that the House pass the proviso in section 6, page 20 of Substitute House Bill No. 473 notwithstanding the Governor's veto thereof, and the motion passed by the following vote: Yeas, 66; nays, 31; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Schumaker, Shinpoch, Smith,

Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Benitz, Blair, Bluechel, Brown, Charnley, Douthwaite, Eikenberry, Freeman, Gilleland, Goltz, Hawkins, Hoggins, Julin, Kishimoto, Kopet, Kraabel, Leckenby, Lysen, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Rabel, Williams.

Not voting: Representative Zimmerman.

#### MOTION

Mrs. Wojahn moved that section 14, page 25 of Substitute House Bill No. 473 do pass the House notwithstanding the Governor's veto thereof.

Representatives Wojahn and Kuehnle spoke in favor of the motion.

#### POINT OF INQUIRY

Mrs. Wojahn yielded to question by Mr. Pardini.

Mr. Pardini: "Mrs. Wojahn, would the effect of overriding the veto then only allow up until May 20, 1974 for the citizens to referendum this particular issue?"

Mrs. Wojahn: "I believe that is true. The cutoff was put for that purpose."

Mr. Newhouse spoke against the motion, and Mr. Savage spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the motion that section 14, page 25 of Substitute House Bill No. 473 do pass the House notwithstanding the Governor's veto, and the motion failed by the following vote: Yeas, 63; nays, 34; not voting, 1.

Voting yea: Representatives Adams, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Maxie, May, McCormick, Moon, North F., Parker, Patterson, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn.

Voting nay: Representatives Amen, Benitz, Blair, Bluechel, Brown, Charnley, Douthwaite, Eikenberry, Eng, Flanagan, Freeman, Garrett, Gaspard, Gilleland, Hoggins, Julin, Kishimoto, Kopet, Kraabel, Leckenby, Martinis, Matthews, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Polk, Pullen, Rabel, Williams, and Mr. Speaker.

Not voting: Representative Zimmerman.

Substitute House Bill No. 473 notwithstanding the Governor's veto, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. Speaker:

The Senate has passed SENATE BILL NO. 3039 notwithstanding the Governor's veto, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mrs. Hurley moved that the House do pass Senate Bill No. 3039 notwithstanding the Governor's veto.

Representatives Hurley, Randall, Goltz, Berentson and Van Dyk spoke in favor of the motion, and Representatives Brown and Hawkins spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion that the House do pass Senate Bill No. 3039 notwithstanding the Governor's veto, and the bill passed the House by the following vote: Yeas, 72; nays, 25; not voting, 1.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Ceccarelli, Charette, Clemente, Conner, Cunningham, Curtis, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Nelson, North F., Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Brown, Charnley, Chatalas, Douthwaite, Ehlers, Eng, Gaspard, Hawkins, Hoggins, Juelling, Julin, Kalich, Kraabel, Leckenby, Lysen, Morrison, Newhouse, North L., O'Brien, Paris, Rabel, Thompson, Williams.

Not voting: Representative Zimmerman.

Senate Bill No. 3039 notwithstanding the Governor's veto, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

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

On motion of Mr. Thompson, the House advanced to the fifth order of business.

## REPORTS OF STANDING COMMITTEES

April 18, 1974

HOUSE BILL NO. 867, Prime sponsor: Representative Perry, relating to authorized urban arterial projects, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Perry, Chairman; Hansen, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Ceccarelli, Clemente, Conner, Gallagher, Garrett, Kalich, Kraabel, Laughlin, Leckenby, Martinis, Nelson, Patterson, Schumaker, Wilson.

## MOTION

On motion of Mr. Thompson, the rules were suspended, and House Bill No. 867 was placed on the second reading calendar.

April 18, 1974

HOUSE BILL NO. 868, Prime sponsor: Representative Perry, relating to bicycle routes and bicycles, reported by Committee on Transportation and Utilities.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Perry, Chairman; Charnley, Subcommittee Chairman; Hansen, Subcommittee Chairman; McCormick, Subcommittee Chairwoman; Barnes, Bender, Berentson, Ceccarelli, Conner, Douthwaite, Gallagher, Garrett, Gilleland, Kalich, Kraabel, Leckenby, Martinis, Nelson, Patterson, Schumaker.

To Committee on Rules for second reading.

April 18, 1974

HOUSE BILL NO. 1266, Prime sponsor: Representative Kopet, granting immunity from civil suit to pharmacists filing charges or producing evidence in professional competency proceedings, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Eng, Fortson, Freeman, Hendricks, Honan, Jastad, Johnson, Matthews, May, Paris, Rabel, Savage, Winsley, Wojahn.

To Committee on Rules for second reading.

April 19, 1974

HOUSE BILL NO. 1412, Prime sponsor: Representative Williams, creating the office of community development, reported by Committee on Local Government.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and substitute the following:

NEW SECTION. Section 1. In order to encourage more effective working relationships between state government and local governments and community organizations, there are hereby transferred to the planning and community affairs agency in addition to its current powers and duties, all powers, duties, functions, employees, appropriations and property now or through action of this 1974 legislature vested in the office of economic opportunity, or the director thereof, by the terms of RCW 43.06.110 or otherwise; the drug abuse prevention office, or the planning coordinator thereof; and, the cooperative area manpower planning system and the executive director and secretariat for the Washington state manpower planning council, or their successors pursuant to the comprehensive employment and training act of 1973 as now or hereafter amended.

NEW SECTION. Sec. 2. The planning and community affairs agency and the state planning advisory council are hereby renamed the office of community development, and the office of community development advisory council, respectively. All references in statutes or executive orders to the planning and community affairs agency, or the director thereof; the office of economic opportunity, or the director thereof; the drug abuse prevention office, or the planning coordinator thereof; and the comprehensive area manpower planning system and the executive director for the Washington state manpower planning council, or their successors, shall mean and be understood to refer to the office of community development, and its director, respectively.

In addition to its other powers, duties and functions, the office of community development shall assist general purpose local governments in their community development efforts and shall encourage coordination by general purpose local governments of physical planning and human resource planning and programming.

NEW SECTION. Sec. 3. There is added to chapter 41.06 RCW a new section to read as follows:

In addition to the exemptions set forth in RCW 41.06.070, the provisions of this chapter shall not apply in the office of community development to the director, his confidential secretary, his administrative assistant, one deputy director, and not to exceed four assistant directors.

NEW SECTION. Sec. 4. In furtherance of community development, the board of county commissioners or county council of any county or the legislative authority of any city or town is hereby authorized and empowered in its discretion by resolution or ordinance passed by a majority of the legislative body, to take whatever action it deems necessary to enable the county, city, or town to participate in the programs set forth in the Economic Opportunity Act of 1964 (Public Law 88-452; 78 Stat. 508), as amended, and other human resource planning and programming related to concerns including but not limited

to law and justice, manpower, health, housing, legal services, child development, nutrition, community organization, day care, aging, cultural enrichment, historic preservation, vocational and other education and training, and volunteerism. Such participation may be engaged in as a sole county, city, or town operation or in conjunction or cooperation with the state, any other city, town, county, or municipal corporation, or any private corporation.

NEW SECTION. Sec. 5. If any provision of this 1974 act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 6. This 1974 act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Beginning in line 1 of the title, strike everything after "development;" and substitute the following: "creating new sections; adding a new section to chapter 41.06 RCW; and declaring an emergency."

Signed by Representatives Haussler, Chairman; Douthwaite, Subcommittee Chairman; Kalich, Subcommittee Chairman; Adams, Blair, Honan, Kishimoto, Laughlin, Nelson, North (Frances), Paris, Patterson, Sommers.

To Committee on Rules for second reading.

April 18, 1974

ENGROSSED SENATE BILL NO. 3143, Prime sponsor: Senator Day, extending the authority of hospital districts, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 19 strike everything after "facility" down to and including "organization" on line 21 and insert "((charitable, nonprofit establishment or against a hospital clinic or sanatorium operated by a religious group or organization))"

Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Eng, Fortson, Freeman, Hendricks, Honan, Jastad, Johnson, May, Paris, Rabel, Savage, Winsley.

#### MOTION

On motion of Mr. Thompson, the rules were suspended, and Engrossed Senate Bill No. 3143 was placed on today's second reading calendar.

April 18, 1974

ENGROSSED SUBSTITUTE SENATE BILL NO. 3253, Original sponsor: Senator Donohue, making appropriations for the

operation of state government, reported by Committee on Ways and Means.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

NEW SECTION. Section 1. That the following appropriations are hereby adopted and subject to the provisions set forth in the following sections or so much thereof as shall be sufficient to accomplish the purposes designated are hereby appropriated and authorized to be disbursed by the designated agencies and offices of the state and for other specified purposes, including operations and capital improvements, for the fiscal biennium beginning July 1, 1973 and ending June 30, 1975, except as otherwise provided, out of the several funds of the state hereinafter named.

NEW SECTION. Sec. 2. FOR THE SUPERIOR COURT JUDGES

General Fund Appropriation: PROVIDED,  
That this amount shall  
be used for the implementation  
of chapter ..., Laws of 1974 1st  
ex. sess. (SB 3181).....\$ 35,333

NEW SECTION. Sec. 3. FOR THE STATE AUDITOR

General Fund Appropriation  
For Operations.....\$ 60,152  
Payment of supplies and services  
furnished in previous biennia.....\$ 50,000  
Sundry Claims.....\$ 14,205

NEW SECTION. Sec. 4. FOR THE SECRETARY

OF STATE

General Fund Appropriation  
For the purpose of carrying out the  
provisions of chapter 127, Laws of  
1974 1st ex. sess. ....\$ 93,311

NEW SECTION. Sec. 5. FOR THE PUBLIC

DISCLOSURE COMMISSION

General Fund Appropriation: PROVIDED,  
That these funds be used for  
additional personnel to carry out  
additional investigations.....\$ 50,000

NEW SECTION. Sec. 6. FOR THE DEPARTMENT

OF GENERAL ADMINISTRATION

General Fund Appropriation: PROVIDED,  
That this appropriation shall  
be used to complete the  
migrant housing pilot project  
authorized pursuant to the provisions  
of chapter 125, Laws of 1974 1st  
ex. sess. ....\$ 13,000

NEW SECTION. Sec. 7. FOR THE DEPARTMENT

OF EMERGENCY SERVICES

General Fund Appropriation: PROVIDED,  
That pursuant to section 67, chapter  
142, Laws of 1974 1st ex. sess., any  
federal funds received for fuel  
allocation shall replace an equal



amount of state funds.....\$	462,476
<u>NEW SECTION.</u> Sec. 8. FOR THE MILITARY DEPARTMENT	
General Fund Appropriation: PROVIDED, That these funds be used only for maintenance and operations of state national guard facilities.....\$	234,684
<u>NEW SECTION.</u> Sec. 9. FOR THE HIGHER EDUCATION PERSONNEL BOARD	
Higher Education Personnel Board Service Fund.....\$	99,877
<u>NEW SECTION.</u> Sec. 10. FOR THE TEACHERS' RETIREMENT SYSTEM	
Teachers' Retirement Fund Appropriation .....	79,683
<u>NEW SECTION.</u> Sec. 11. FOR THE DEPARTMENT OF MOTOR VEHICLES	
General Fund Appropriation .....	17,750
<u>NEW SECTION.</u> Sec. 12. FOR THE EMPLOYMENT RELATIONS COMMISSION	
General Fund Appropriation: PROVIDED, That \$125,000 or so much thereof as may be necessary, shall be used under the direction of chairman of the board for the purpose of paying the per diem and expenses of the Commission, the salaries and fringe benefits of the employees of the Commission, and any other expenses necessary to carry out the provisions of the proposed act: PROVIDED, That up to \$30,000 of this appropriation shall be used for cost incurred by the advisory committee pursuant to the proposed act: PROVIDED FURTHER, That this appropriation is contingent on the passage of chapter ..., Laws of 1974 1st ex. sess. (ESHB 1341).....\$	155,000
<u>NEW SECTION.</u> Sec. 13. FOR THE DEPARTMENT OF ECOLOGY	
General Fund Appropriation: PROVIDED, That these funds shall be used for a feasibility study of offshore monobouy petroleum transfer facilities: PROVIDED, That if federal funds are received for such study, said funds shall replace an equal amount of state funds: PROVIDED FURTHER, That the department shall consult, confer, and utilize the advice and staff of the state oceanographic commission.....\$	427,150
<u>NEW SECTION.</u> Sec. 14. FOR THE THERMAL POWER PLANT SITE EVALUATION COUNCIL	
General Fund Appropriation .....	17,293
<u>NEW SECTION.</u> Sec. 15. FOR THE DEPARTMENT OF FISHERIES	
General Fund Appropriation: PROVIDED, That pursuant to section 67, chapter 142, Laws of 1974 1st ex. sess., the	

department is directed to seek federal assistance funds for the Indian Fishing rights program and for the United States-Canadian Fishing Rights Negotiations, and any such funds received shall replace an equal amount of state funds.....\$ 687,531

NEW SECTION. Sec. 16. FOR THE DEPARTMENT

OF NATURAL RESOURCES

General Fund Appropriation

For implementation of the 1974

Forest Practices Act, chapter

137, Laws of 1974 1st ex. sess.....\$ 398,300

General Fund--Resource Management Cost

Account Appropriation .....\$ 1,116,895

State Timber Reserve Fund Appropriation

For the purpose of carrying out the

the provisions of chapter ..., Laws

of 1974 1st ex. sess. (SHB 1185).....\$ 450,236

NEW SECTION. Sec. 17. FOR THE DEPARTMENT

OF AGRICULTURE

General Fund Appropriation: PROVIDED,

That of this amount \$95,000 shall be

used for brand inspection and cattle

rustling investigation activities and

such amounts shall be reimbursed to the

General Fund from the Brand Inspection

Fund at such time as the Brand Inspection

Fund accumulates a sufficient balance:

PROVIDED, That the department contract

with the Department of Game in an

amount not to exceed \$50,000 for a

study of predator control utilizing

various chemicals approved by the

Federal Environmental Protection

Agency.....\$ 172,604

General Fund Appropriation

For expanding the Tansy Ragwort

pilot eradication program as authorized

in chapter 142, Laws of 1974 1st ex.

sess. to include Grays Harbor, Island,

Mason, Pacific, Skamania and Wahkiakum

counties: PROVIDED, That this

appropriation together with the \$75,000

previously appropriated shall be

directed toward controlling and

preventing the spread of the noxious

Tansy Ragwort Weed: PROVIDED FURTHER,

That each county and participating

individual agricultural landowner

share equally the remaining two-thirds

cost of material used in the direct

control of said weed.....\$ 32,341

NEW SECTION. Sec. 18. FOR THE WASHINGTON

FUTURE PROGRAM

Appropriated to:

DEPARTMENT OF ECOLOGY

General Fund--State and Local Improvement

Revolving Account--Waste Disposal Facilities:

Appropriated pursuant to the provisions of chapter 127, Laws of 1972 ex. sess., (Referendum 26), for up to fifteen percent of the overall cost of any project except that (1) the state portion of solid waste management, lake rehabilitation, or irrigation return flows may be as much as fifty percent; (2) the state may provide one hundred percent of the costs necessary to meet the conditions required to receive federal funds; and (3) the state may loan one hundred percent of the eligible costs of preconstruction activities.....\$ 29,623,000

General Fund--State and Local Improvement Revolving Account--Water Supply Facilities: Appropriated pursuant to the provisions of chapter 128, Laws of 1972 ex. sess., (Referendum 27): PROVIDED, That (1) the state portion of water supply projects may be as much as fifty percent; (2) the state may provide one hundred percent of the costs necessary to meet the conditions required to receive federal funds; and (3) the state may loan one hundred percent of the eligible costs of preconstruction activities.....\$ 6,430,688

NEW SECTION. Sec. 19. FOR THE

DEPARTMENT OF EMPLOYMENT SECURITY

General Fund Appropriation

For the Program for Local Service: PROVIDED, That \$600,156 of this appropriation shall be from federal sources.....\$ 1,200,313

For the Public Service Employment Program: PROVIDED, That these funds shall be federal Funds implementing Title II of the Comprehensive Employment and Training Act of 1973: PROVIDED FURTHER, That allocations of these funds shall be approved by the Legislative Budget Committee or the House and Senate Ways and Means Committees: PROVIDED FURTHER, That the Office of Program Planning and Fiscal Management shall provide the Senate and House Ways and Means Committees on a quarterly basis a report detailing actual expenditures, numbers of positions allocated, and programs or projects affected.....\$ 5,352,377

NEW SECTION. Sec. 20. FOR THE

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

General Fund Appropriation: PROVIDED, That The Department shall contract with the Fred Hutchinson Cancer Research Center for the purposes of securing a viable

cancer research program in this state.....\$ 500,000

NEW SECTION. Sec. 21. FOR DEPARTMENT

OF SOCIAL AND HEALTH SERVICES

General Fund--State and Local Improvement Revolving Account--Social and Health Services Facilities:

Appropriated pursuant to the provisions of chapter 130, Laws of 1972 ex. sess.,

(Referendum 29), for social and health services facilities; The

Department of Social and Health Services is authorized to obligate

for purposes of carrying out the provisions of chapter 130, Laws of 1972

ex. sess., a total of \$24,750,000: PROVIDED, That expenditures against

these obligations shall not exceed \$10,000,000: PROVIDED FURTHER,

That no funds shall be expended for specific projects without the

prior approval of the Office of Program Planning and Fiscal

Management and the House and Senate Ways and Means Committees or the

Legislative Budget Committee: PROVIDED FURTHER, The governing

body of any county, city or political subdivision of the state may permit the

use by lease, contract for service, or otherwise of the facilities of any

social and health care facility by any community service organization, nonprofit

corporation, group or association, for the purpose of conducting a program

of education, training, or other purpose, for the residents of such institutions

if determined by the director to be beneficial to such residents or a

portion thereof.....\$ 10,000,000

Sec. 22. Section 2, chapter 139, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

((General Fund Appropriation: PROVIDED; That

\$594,866,929 is from state funds and

\$6,541,468 is from private and local funds and

\$417,743,498 is from federal funds: PROVIDED;

That any proposal to expend moneys or man

years from an appropriated fund or account

in excess of appropriations provided by law, based

upon the receipt of unanticipated revenues;

shall be submitted to the House Ways

and Means Committee and to the Senate

Ways and Means Committee; if the state

legislature is in session; or to the

legislative budget committee during the

interim between legislative sessions which

may authorize the expenditure of unanticipated

receipts during the legislative interim

arising from federal sources, gifts or grants; by a majority of the members: PROVIDED; That the Department initiate negotiations with the federal government for federal administration of the state supplementation of the supplemental security income program and also initiate negotiations for the optional federal administration of eligibility for medicaid by the adult recipients: PROVIDED; That a draft negotiated contract shall be submitted to the Legislative Budget Committee or to the House and Senate Ways and Means Committees if the legislature is in session by Sept. 15, 1973 for their review and such contract shall not be completed without legislative authorization: PROVIDED; That if the claim made by the state to the U. S. Department of Health, Education and Welfare on October 24, 1972 for reimbursement in the amount of \$32,876,903 is sustained or any portion of that claim is sustained such funds shall be deposited by the State Treasurer in Suspense Fund 705 and no allocation or disbursements of these funds shall be made until a legislative appropriation determining the use of such moneys shall be enacted into law: PROVIDED; That all disputes arising between the state and the United States Department of Health, Education, and Welfare involving the state's claim to federal reimbursement of state expenditures as provided by the applicable provisions of Titles I, IV, X, XIV, XVI and XIX of the Social Security Act which would have the effect of reducing or increasing any appropriation or any part thereof shall be negotiated and settled only with the consent of a majority of the members of the House Ways and Means Committee and the Senate Ways and Means Committee: PROVIDED; That the sum of \$5,508,264 currently being held by the State Treasurer in Suspense Fund 705 pending the completion of a federal review of the legitimacy of the claim for such moneys shall continue to be held and no allocation or disbursements of these funds, except to repay the federal government if necessary, shall be made until a legislative appropriation determining the use of such moneys shall be enacted into law: PROVIDED; That if the Department claims additional matching for the period of October 4, 1972 through June 30, 1973, or any portion thereof, such moneys shall be deposited by the State Treasurer in Suspense Fund 705 and no

allocation or disbursements of these funds shall be made until a legislative appropriation determining the use of such moneys shall be enacted into law: PROVIDED, That the department shall deploy personnel in such a manner as to insure, insofar as is possible, that ineligible persons shall be removed from current caseloads; errors resulting in overpayments or underpayments to recipients shall be corrected; efforts shall be made to insure that only eligible individuals are added to the public assistance caseloads and that caseloads are kept within the estimates for which funds are herein provided: PROVIDED, That compliance with this act and the attempt to contain caseloads within acceptable limits shall be accomplished but, notwithstanding the provisions of RCW 74-08-040, the Department shall not impose ratable reductions, or any other form of reduction in public assistance grants which are in addition to, or in any way lower the maximums presently imposed: PROVIDED, That the agency charged with the responsibility for performance or management audits shall periodically monitor departmental management to insure that compliance with these provisions is being maintained:

PROVIDED FURTHER, That this appropriation shall be expended for the following

- purposes.....\$1,019,721,295
- Adult Corrections and Rehabilitative Services Program.....\$ 42,208,916
- Juvenile Rehabilitation Program: PROVIDED, That it is the intent of the legislature that the delinquency prevention program shall be continued ...\$ 29,994,492
- Mental Health Program.....\$ 54,994,045
- Developmental Disabilities Program: PROVIDED, That \$145,050 is appropriated for auditory training systems for use at the state school for the deaf: PROVIDED, That of the new positions authorized in this act twenty-five shall be developmental disability community workers added during the first year of the biennium and an additional twenty-five developmental disability community workers to be added during the second year of the biennium.....\$ 70,118,192
- Veterans' Services Program: PROVIDED, That the Department of Social and Health Services shall perform an in-depth study regarding the need for the Veterans' Home at Retsil; and the Soldiers' Home and Colony at Orting; and possible

alternative approaches to provision of this service including, but not limited to, combining of the programs or closure of one or both homes, and the results are to be reported to the State Legislature prior to

October 1, 1973;.....\$ 6,431,756

**Income Maintenance Program: PROVIDED;** That a person referred to and accepted by the Division of Vocational Rehabilitation for rehabilitation under an approved plan, which plan includes maintenance payments, shall not be eligible to receive general assistance: **PROVIDED;** That of this sum \$3,817,082 in state moneys or so much thereof as shall be necessary, shall be employed exclusively for the purpose of providing a state supplement up to the aid to families with dependent children public assistance standards for recipients of unemployment compensation benefits who, except for the restriction on eligibility for those receiving unemployment compensation benefits, meet aid to families with dependent children eligibility standards: **PROVIDED;** That those recipients concurrently receiving unemployment compensation benefits shall not be eligible for additional state funded medical services beyond those services now available to such recipients: **PROVIDED;** That the amount paid from this appropriation to or on behalf of a recipient in a nursing home or a hospital for clothing and necessary incidentals shall not exceed fifty percent of the amount which would be paid to such a recipient if he were living in his own home: **PROVIDED;** That of this appropriation \$3,611,163 of which \$1,692,552 is the state share, or so much thereof as shall be necessary, shall be utilized exclusively for the purpose of providing a five percent cost of living increase for recipients of aid to families with dependent children and general assistance from July 1, 1973 through June 30, 1975: **PROVIDED;** That the department shall report to the legislature the total amount of all moneys deposited in the state treasury in nonrevenue accounts and the total of all moneys received for nonassistance support collections accounts and that in no event shall the department utilize these moneys to establish new programs, to expand existing programs beyond legislatively authorized intent nor to supplant federal funds without specific legislative authorization: **PROVIDED;** That of this amount \$1,734,330 of which the state

share shall be \$840,620 shall be utilized exclusively for the purpose of providing a five percent cost of living increase for old age assistance; aid to blind and disability assistance categorical recipients from July 1, 1973 through June 30, 1975: PROVIDED, That of this amount \$1,215,043 shall be utilized exclusively for the purpose of providing one hundred additional man-years and related costs within the employment level provided for in section 3 of this act consisting solely of welfare eligibility examiners of claims investigators and supervisors to be utilized in the local offices verification and overpayment control sections and such man-year allocations shall be so distributed as to provide the greatest impact upon insuring that income maintenance payments are made only to eligible recipients: PROVIDED; That within the employment level provided in section 3 of this act, not to exceed \$1,049,647 of this amount shall be utilized exclusively for the purpose of providing a total of seventy-six man-years and related costs for the "state investigative unit" whose responsibility shall be to investigate all complaints of fraud and to institute the proper corrective action: \$350,162,055

Community Social Services Program: PROVIDED; That \$2,000,000 of this appropriation shall be used to reimburse those nonprofit voluntary agencies enumerated under RCW 74.15.020 (3) (a), (b) and (c) for costs incurred in the administration, operation and maintenance of such agencies; such costs being in addition to the purchase of care for such children as otherwise authorized by law: PROVIDED; FURTHER; That \$706,064 in state funds; or so much thereof as shall be necessary; shall be employed exclusively for the purpose of providing for sixty man-years and related costs to continue the delinquency prevention program: PROVIDED; FURTHER; That the department may implement at its discretion a sliding scale of charges in accordance with existing statutes and regulations: \$102,176,039

State General Fund Appropriation:  
 For day care services for former and potential AFDC recipients: \$ 4,067,000

Medical Assistance Program:  
 PROVIDED; That the Department of Social and Health Services shall, commencing August 1, 1973 pay for



skilled nursing care not less than the rates of \$12.02 per day per patient for Class I care, and \$10.00 per day per patient for Class II care, and shall pay not less than the rate of \$7.54 per day per resident for intermediate care; \$274,584,120

PROVIDED, That notwithstanding the provisions of RCW 48.54.090, the Department shall make a yearly inspection and investigation of all nursing homes; every inspection shall include an inspection of every part of the premises and an examination of all records including financial records, methods of administration, the general and special dietary, the dispersal of drugs, and the stores and methods of supply. The results of such inspection shall be made available to the House and Senate Ways and Means Committee and to the Legislative Budget Committee.

Public Health Program: \$ 26,945,254

Vocational Rehabilitation Program: PROVIDED, That a person referred to and accepted by the Division of Vocational Rehabilitation for rehabilitation under an approved plan, which plan includes maintenance payments, shall not be eligible to receive general assistance: PROVIDED, That an amount up to \$100,000 shall be allocated for the Radio Talking Book program for the blind: PROVIDED, That of this appropriation \$150,000 shall be made available exclusively for the purpose of development programs for eligible disabled clients who were in vocational rehabilitation programs pursuant to performance contracts between the department and private placement agencies: PROVIDED FURTHER, That such services shall be made available in a state-wide program that teaches disabled persons (1) How to inventory their work skills and relate such skills to the labor market; (2) Where jobs fitting their work skills are most likely to be available; (3) How to conduct a systematic search for employment and how to present themselves most favorably to a prospective employer; and (4) How and where education and training are available to develop or improve marketable work skills: \$ 29,088,065

Administration and Supporting Services

Program: \$ 33,554,044

General Fund Appropriation for medical services and supplies including adjustment of hospital costs not in excess of the unexpended balance of the 1974-73 appropriations or allotments for this purpose.

Medical Assistance	5,740,000
Vocational Rehabilitation	25,000
General Fund Appropriation for grants to communities for mental health and mental retardation construction grants not in excess of the unexpended balance of the 1974-73 appropriations or allotments for this purpose:	
Mental Health	1,145,996
Developmental Disabilities	303,497)

It is the intent of the legislature that any proposal to expend moneys or FTE Staff years from an appropriated fund or account in excess of those FTE Staff years contained in section 23 of this 1974 amendatory act or appropriations provided by law shall be subject to legislative approval as provided in section 23 of this 1974 amendatory act.

If the claim made by the state to the United States Department of Health, Education, and Welfare on October 24, 1972 for reimbursement in the amount of \$32,876,903 is sustained or any portion of that claim is sustained such funds shall be deposited by the State Treasurer in Suspense Fund 705 and no allocation or disbursements of these funds shall be made until a legislative appropriation determining the use of such moneys shall be enacted into law: PROVIDED, That all disputes arising between the state and the United States Department of Health, Education, and Welfare involving the state's claim to federal reimbursement of state expenditures as provided by the applicable provisions of Titles I, IV, X, XIV, XVI, and XIX of the Social Security Act which would have the effect of reducing or increasing any appropriation or any part thereof shall be negotiated and settled only with the consent of a majority of the members of the House and Senate Ways and Means Committees: PROVIDED, That the sum of \$5,508,264 currently being held by the State Treasurer in Suspense Fund 705 pending the completion of a federal review of the legitimacy of the claim for such moneys shall continue to be held and no allocation or disbursements of these funds, except to repay the federal government if necessary, shall be made until a legislative appropriation determining the use of such moneys shall be enacted into law: PROVIDED, That if the Department claims additional matching funds for the period of October 1, 1972 through June 30, 1973, or any portion thereof, such moneys shall be deposited by the State

Treasurer in Suspense Fund 705 and no allocation or disbursements of these funds shall be made until a legislative appropriation determining the use of such moneys shall be enacted into law.

It is the intent of the legislature that the department of social and health services shall deploy personnel in such a manner as to insure, insofar as is possible, that ineligible persons shall be removed from current caseloads, errors resulting in overpayments or underpayments to recipients shall be corrected, efforts shall be made to insure that only eligible individuals are added to the public assistance caseloads and that caseloads are kept within the estimates for which funds are herein provided: PROVIDED, That compliance with this 1974 amendatory act and the attempt to contain caseloads within acceptable limits shall be accomplished but, notwithstanding the provisions of RCW 74.08.040, the Department shall not impose ratable reductions, or any other form of reduction in public assistance grants which are in addition to, or in any way lower than the maximums presently imposed and covered within this 1974 amendatory act or chapter 139, Laws of 1973 1st ex. sess.: PROVIDED, That the Legislative Budget Committee shall periodically monitor departmental management to insure that the provisions in this 1974 amendatory act and chapter 139, Laws of 1973 1st ex. sess. are being complied with: PROVIDED, That the department shall prepare and submit to the Senate and House Ways and Means Committees by July 1, 1974 a detailed report on the status of the systems improvement project specifically identifying the compliance with legislative intent.

#### General Fund Appropriation

For Adult Corrections and Rehabilitative Services Program: PROVIDED, That \$40,558,521 is from state funds and \$1,703,531 is from federal funds: PROVIDED FURTHER, That \$25,384 of state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund the costs resulting from increased postage rates: PROVIDED FURTHER, That \$27,752 of state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund the costs of the Commission created by the passage of chapter 81, Laws of 1974 1st ex. sess., for jail inspections.....\$ 42,262,052

#### General Fund Appropriation

For Juvenile Rehabilitation Program: PROVIDED, That \$28,582,996 is from

state funds and \$1,419,440 is from federal funds: PROVIDED FURTHER, That \$7,944 of state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund the costs resulting from increased postage rates .....\$ 30,002,436

General Fund Appropriation

For Mental Health Program: PROVIDED, That \$49,734,338 is from state funds, \$5,019,357 is from federal funds, and \$336,710 is from local and other funds: PROVIDED FURTHER, That \$135,300 of state funds contained in this appropriation shall be used to fund 5.8 FTE Mental Health Administrator staff years: PROVIDED FURTHER, That \$851,717 of state funds contained in this appropriation shall be used to fund those salary related costs identified specifically for the administration of the Mental Health Civil Commitment law: PROVIDED FURTHER, That \$2,027,007 in federal funds and \$76,701 in local funds contained in this appropriation or so much thereof as shall be necessary shall be used for the Alcoholism program: PROVIDED, That up to \$775,974 of state general fund moneys may be allocated to the alcoholism program if FY 75 federal receipts are not available in time for FY 75 alcoholism program requirements, and such state general fund moneys utilized shall be reimbursed to the general fund when federal funds become available: PROVIDED FURTHER, That \$5,665 in state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund the costs resulting from increased postage rates .....\$ 55,090,405

General Fund Appropriation

For Developmental Disabilities Program: PROVIDED, That \$71,202,279 is from state funds, \$2,702,621 is from federal funds, and \$621,893 is from local or other funds: PROVIDED FURTHER, That \$741,443 in state funds contained in this appropriation and \$9,382 in federal funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund those salary related costs for 29.3 FTE Attendant Counselor staff years at Fircrest School and 41.9 FTE Attendant Counselor Staff years at Rainier School: PROVIDED FURTHER, That \$200,973 in federal funds and \$99,771 in state funds contained

in this appropriation shall be used to fund the construction of the Friends Services Group Home in Seattle and the W.A.R.C. Group Home in Spokane: PROVIDED FURTHER, That \$1,008,916 in federal funds and \$409,161 in local funds contained in this appropriation shall be used for caseload related costs in the Epton Center program: PROVIDED FURTHER, That \$501,025 in state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund 41.5 FTE Community Worker Staff years previously authorized in chapter 139, Laws of 1973 1st ex. sess.: PROVIDED FURTHER, That \$4,155 in state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund the costs resulting from increased postage rates: PROVIDED FURTHER, That \$1,433,775 in State funds or so much thereof as shall be necessary shall be used to fund overtime cost for institutional employees as required by the National Fair Labor Standards Act: PROVIDED, HOWEVER, That not more than \$200,000 of this sum shall be spent until the Department has presented to the Legislative Budget Committee a comprehensive review of compensatory time scheduling in the developmental disabilities institutions and the committee has approved a program of compensatory and cash overtime scheduling for the remainder of the biennium.....\$ 74,526,793

General Fund Appropriation

For Veterans' Services Program: PROVIDED, That \$5,820,678 is from state funds and \$612,177 is from local and other funds: PROVIDED, That the department of social and health services shall perform an in-depth study regarding the need for the Veterans' Home at Retsil, and the Soldiers' Home and Colony at Orting, and possible alternative approaches to provision of this service including, but not limited to, combining of the programs or closure of one or both homes, and the results shall be reported to the legislature prior to June 1, 1974: PROVIDED FURTHER, That \$1,099 in state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund the costs resulting from increased

postage rates .....\$ 6,432,855

General Fund Appropriation

For Income Maintenance Program:

PROVIDED, That \$181,236,158 is from state funds and \$164,460,934 is from federal funds; PROVIDED FURTHER, That \$1,598,037 in federal funds and \$1,573,711 in state funds or so much thereof as shall be necessary shall be used to fund simplification of standards for AFDC and GA-U recipients according to the following schedule:

<u>No. of Persons</u>	<u>Area I (King, Snohomish, Pierce, Thurston)</u>	<u>Area II (Rest of State)</u>
<u>1</u>	<u>\$163</u>	<u>\$154</u>
<u>2</u>	<u>\$236</u>	<u>\$213</u>
<u>3</u>	<u>\$286</u>	<u>\$266</u>

For those families with more than three persons, the standard shall be increased by \$50 for each additional person; PROVIDED FURTHER, That \$1,944,737 in state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund the costs to this program resulting from the impact of P.L. 93-233; PROVIDED FURTHER, That \$16,042 in federal funds and \$18,831 in state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund the costs resulting from increased postage rates; PROVIDED FURTHER, That the Legislative Budget Committee is hereby directed to do a performance audit of the several funding and program shifts proposed by the department in this program in order to ascertain both the completeness of the departmentally proposed program reductions and additions as well as the validity of requesting expansion of the inter-program funding flexibility as set by the 1973 legislature, and to report its findings to the legislature by November 1, 1974; AND PROVIDED FURTHER, That a person referred to and accepted by the Division of Vocational Rehabilitation for rehabilitation under an approved plan, which plan includes maintenance payments, shall not be eligible to receive general assistance; PROVIDED, That \$3,817,082 in state moneys contained in this appropriation or so much thereof as shall be necessary, shall be employed exclusively for the purpose of

providing a state supplement up to the aid to families with dependent children public assistance standards for recipients of unemployment compensation benefits who, except for the restriction on eligibility for those receiving unemployment compensation benefits, meet aid to families with dependent children eligibility standards: PROVIDED, That those recipients concurrently receiving unemployment compensation benefits shall not be eligible for additional state funded medical services beyond those services now available to such recipients: PROVIDED, That the amount paid from this appropriation to or on behalf of a recipient in a nursing home or a hospital for clothing and necessary incidentals shall not exceed fifty percent of the amount which would be paid to such a recipient if he were living in his own home: PROVIDED, That \$3,611,163 contained in this appropriation of which \$1,692,552 is from state funds or so much thereof as shall be necessary shall be utilized exclusively for the purpose of providing a five percent cost of living increase for recipients of aid to families with dependent children and general assistance from July 1, 1973 through June 30, 1975: PROVIDED, That the department shall report to the legislature the total amount of all moneys deposited in the state treasury in nonrevenue accounts and the total of all moneys received for nonassistance support collections accounts and that in no event shall the department utilize these moneys to establish new programs, to expand existing programs beyond legislatively authorized intent nor to supplant federal funds without specific legislative authorization: PROVIDED, That \$1,731,330 contained in this appropriation of which \$840,620 is from state funds shall be utilized exclusively for the purpose of providing a five percent cost of living increase for old age assistance, aid to blind and disability assistance categorical recipients from July 1, 1973 through June 30, 1975: PROVIDED, That \$1,215,043 contained in this appropriation shall be utilized exclusively for the purpose of providing one hundred additional man-years and related costs within the employment level provided for in section 23 of this 1974 amendatory act consisting solely of welfare eligibility examiners of claims investigators and supervisors to be utilized in the local offices verification and overpayment control sections and such man-year allocations shall

be so distributed as to provide the greatest impact upon insuring that income maintenance payments are made only to eligible recipients: PROVIDED, That within the employment level provided in section 23 of this 1974 amendatory act, not to exceed \$1,049,647 contained in this appropriation shall be utilized exclusively for the purpose of providing a total of seventy-six FTE staff years and related costs for the "state investigative unit" whose responsibility shall be to investigate all complaints of fraud and to institute the proper corrective action ..\$345,697,092

#### General Fund Appropriation

For Community Social Services Program: PROVIDED, That \$38,262,691 is from state funds, \$67,280,560 is from federal funds, and \$391,178 is from local or other funds: PROVIDED FURTHER, That \$1,039,132 in federal funds or so much thereof as shall be necessary shall be used for Public Assistance caseload related costs: PROVIDED FURTHER, That \$4,067,000 or so much thereof as shall be necessary contained in this appropriation shall be used for day care services for former and potential AFDC recipients: PROVIDED FURTHER, That \$52,458 in federal funds and \$33,128 in state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund the costs resulting from increased postage rates: PROVIDED FURTHER, That \$343,000 from state funds and \$79,000 from federal funds shall be used to increase family foster care rates by 9%: PROVIDED FURTHER, That \$36,000 from state funds and \$4,000 from federal funds shall be used to purchase liability insurance for foster parents: PROVIDED FURTHER, That \$36,000 in state funds and \$5,000 in federal funds shall be used to increase receiving home care rates by 9%: PROVIDED FURTHER, That the Department's Community Services Division shall refer AFDC and General Assistance Disabled recipients to the Vocational Rehabilitation Services Division in accordance with the criteria developed jointly between the Community Services Division and the Vocational Rehabilitation Division a copy of which will be submitted to the House and Senate Ways and Means Committees: PROVIDED FURTHER, That Vocational



Rehabilitation shall provide for diagnostic services for those recipients referred and remedial services including tutorial, GED, motivational, job skill training, job search and placement, and follow-up services and available maintenance support, then those AFDC and GA recipients referred to vocational rehabilitation and subsequently determined to be ineligible for all Vocational Rehabilitation services they shall be referred by Vocational Rehabilitation and/or Community Services Division to such organizations or vendors providing the above services utilizing Social Services funds not to exceed \$2,400,000 and additional Vocational Rehabilitation funds provided in this 1974 amendatory act: PROVIDED FURTHER, That the Division of Vocational Rehabilitation shall be responsible and shall contract with organizations or vendors for remedial services including job placement, by competitive bid and by performance contract, with a financial penalty to contractors for failure to perform, and qualified bidders shall be able to provide such services on a state-wide basis: PROVIDED FURTHER, That starting with the first quarter of fiscal year 1975 the department shall prepare written quarterly reports and shall submit such reports to the Senate and House Ways and Means committees, which reports shall include, but not be limited to, the cost benefits to the state resulting from the concentrated effort by the department for those recipients receiving remedial services: PROVIDED FURTHER, That the Legislative Budget Committee is hereby directed to implement a performance audit of the several funding and program shifts proposed by the department in these program areas in order to ascertain both the completeness of the departmentally proposed program reductions and additions as well as the validity of requesting expansion of the inter-program funding flexibility as set by the 1973 legislature, and report its findings to the chairmen of the Senate and House Ways and Means Committees by November 1, 1974: PROVIDED, That \$2,000,000 of this appropriation

shall be used to reimburse those nonprofit voluntary agencies enumerated under RCW 74.15.020 (3) (a), (b) and (c) for costs incurred in the administration, operation and maintenance of such agencies, such costs being in addition to the purchase of care for such children as otherwise authorized by law: PROVIDED, FURTHER, That \$786,064 in state funds, or so much thereof as shall be necessary, shall be employed exclusively for the purpose of providing for sixty man-years and related costs to continue the delinquency prevention program: PROVIDED, FURTHER, That the department may implement at its discretion a sliding scale of charges in accordance with existing statutes and regulations: PROVIDED FURTHER, That \$396,505 in state funds and \$328,256 in federal funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund those salary related costs for 38 FTE Caseworker Staff-Years for the Protective Services Program.....\$105,934,429

#### General Fund Appropriation

For Medical Assistance Program: PROVIDED, That \$152,239,416 is from state funds and \$143,945,331 is from federal funds: PROVIDED FURTHER, That \$10,518,398 in federal funds and \$13,747,163 in state funds contained in this appropriation or so much thereof as shall be necessary shall be used for Public Assistance caseload related costs: PROVIDED FURTHER, That \$482,400 in state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund the costs to this program resulting from the impact of P.L. 93-233: PROVIDED FURTHER, That \$7,385 in federal funds and \$8,000 in state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund the costs resulting from increased postage rates: PROVIDED FURTHER, That the Legislative Budget Committee is hereby directed to implement a performance audit of the several funding and program shifts proposed by the department in this program in order to ascertain both the completeness of the departmentally proposed program reductions and additions as well as the validity of requesting expansion of the inter-program funding flexibility as

set by the 1973 legislature, and to report its findings to the legislature prior to the next regular session: PROVIDED, That the Department of Social and Health Services shall, commencing August 1, 1973 pay for skilled nursing care not less than the rates of \$12.82 per day per patient for Class I care, and \$10.00 per day per patient for Class II care, and shall pay not less than the rate of \$7.54 per day per resident for Intermediate care: PROVIDED, That notwithstanding the provisions of RCW 18.51.090, the Department shall make a yearly inspection and investigation of all nursing homes; every inspection shall include an inspection of every part of the premises and an examination of all records including financial records, methods of administration, the general and special dietary, the dispersal of drugs, and the stores and methods of supply. The results of such inspection shall be made available to the House and Senate Ways and Means Committee and to the Legislative Budget Committee: PROVIDED FURTHER, That the Legislature having found that information received from the Department of Social and Health Services concerning utilization review has been inadequate and that there is substantial question as to the continuing quality of health care rendered in the state, the Department shall provide to the House and Senate Ways and Means Committees a full and complete report including utilization review procedures, reports, and departmental actions taken as a result of such reports as well as similar efforts concerning quality control within the medical assistance program and such reports shall be provided initially by June 1, 1974 and submitted quarterly thereafter.....\$296,184,747

#### General Fund Appropriation

For Public Health Program: PROVIDED, That \$8,727,005 is from state funds, \$13,533,371 is from federal funds, and \$4,693,600 is from local and other funds: PROVIDED FURTHER, That \$8,725 in state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund the costs resulting from increased postage rates .....

.....\$ 26,953,976  
General Fund Appropriation

For Vocational Rehabilitation Program: PROVIDED, That \$7,744,528 is from state funds and \$26,107,868 is from federal funds and \$563,975 is from local and other funds: PROVIDED, That a person referred to and accepted by the Division of Vocational Rehabilitation for rehabilitation under an approved plan, which plan includes maintenance payments, shall not be eligible to receive general assistance: PROVIDED, That an amount up to \$100,000 shall be allocated for the Radio Talking Book program for the blind: PROVIDED, That of this appropriation \$150,000 shall be made available exclusively for the purpose of development programs for eligible disabled clients who were in vocational rehabilitation programs pursuant to performance contracts between the department and private placement agencies: PROVIDED FURTHER, That such services shall be made available in a state-wide program that teaches disabled persons (1) How to inventory their work skills and relate such skills to the labor market; (2) Where jobs fitting their work skills are most likely to be available; (3) How to conduct a systematic search for employment and how to present themselves most favorably to a prospective employer; and (4) How and where education and training are available to develop or improve marketable work skills: PROVIDED, That of this appropriation \$1 million dollars or as much thereof as is necessary shall be made available for the purpose of providing specialized rehabilitation services to those severely handicapped persons including parapalegics and quadrapalegics as defined in the Vocational Rehabilitation Program regulations who should receive intensive and early rehabilitation services to improve their opportunity to be restored, to the extent possible, to a productive capacity: PROVIDED FURTHER, That the Vocational Rehabilitation Community Social Services and Health Services, Divisions of the Department of Social and Health Services shall review their caseload and develop program plans for this special program involving the severely handicapped and shall report to the House and Senate Ways and Means Committees the caseload findings and program plans for approval of those committees, prior to July 1, 1974:

PROVIDED FURTHER, That, to the extent possible such plans shall consider programs for such severely disabled persons that are not determined as eligible for vocational rehabilitation program funding but can be assisted by such a program to achieve some degree of self-care from other available funding sources .....\$ 34,416,371

General Fund Appropriation

For Administration and Supporting Services Program: PROVIDED, That \$19,812,857 is from state funds and \$14,478,494 is from federal funds: PROVIDED FURTHER, That \$106,815 in federal and \$160,223 in state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund those salary related costs for 19.8 FTE Support Enforcement Officer Staff years: PROVIDED FURTHER, That \$116,951 in federal funds and \$175,427 in state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund 15.6 FTE staff years for Nursing Home Audit Staff: PROVIDED FURTHER, That \$95,115 in federal funds and \$83,226 in state funds contained in this appropriation or so much thereof as shall be necessary shall be used to fund the costs resulting from increased postage rates: PROVIDED FURTHER, That \$4,000 shall be used by the Department to compile and maintain public records, using information from any available source, on all persons in the state who have been affected with a burn injury affecting five percent or more of his body as a result of fabric ignition.....\$ 34,291,351

General fund Appropriation for medical services and supplies including adjustment of hospital costs not in excess of the unexpended balance of the 1971-73 appropriations or allotments for this purpose.

Medical Assistance.....\$ 5,100,000  
Vocational Rehabilitation.....\$ 25,000

General Fund Appropriation for grants to communities for mental health and mental retardation construction grants not in excess of the unexpended balance of the 1971-73 appropriations or allotments for this purpose.

Mental Health.....\$ 1,115,996  
Developmental Disabilities.....\$ 303,197

Sec. 23. Section 3, chapter 139, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

It is the intent of the Legislature that the department of social and health services shall not expend in excess of ((26,320 man-years)) 26,395 FTE staff-years during the 1973-75 biennium. The department shall allocate these ((man-years)) FTE staff-years among the various programs in such a manner as to effect the maximum efficiency and effectiveness possible ((: PROVIDED; That it)). It is the further intent of the Legislature that in making necessary adjustments in ((man-years)) FTE staff-years the Department of Social and Health Services shall retain those local office personnel officers and staff needed to maintain adequate position control and ((;)) to process personnel actions ((and that)). Any reductions necessitated by legislative intent shall reduce state level personnel officers ((: PROVIDED; That this restriction shall not apply to staff positions funded by one hundred percent federal moneys in the Office of Disability Insurance throughout the 1973-75 biennium: PROVIDED; That this restriction shall not apply to those staff positions directly concerned with the enumeration and conversion of the current old age assistance, aid to blind and disability assistance programs to Supplemental Security Income as these functions are performed through federal contract and funded one hundred percent from federal moneys for the period up to January 1, 1974: PROVIDED FURTHER; That any deviations)). Any exceptions from the overall ((man-year)) FTE staff-year limitations (( because of these three exceptions)) imposed by this section shall be ((promptly reported to)) approved by either the House and Senate Ways and Means Committees ((chairmen if the Legislature is in session or to)) or the Legislative Budget Committee ((: PROVIDED; That)) It is the intent of the Legislature that compliance with overall intent expressed through this 1974 amendatory act and chapter 139, Laws of 1973 1st ex. sess. shall result in the least disruption of currently filled positions and that every effort shall be made by the Department, within the rules and regulations of the Personnel Board, to comply with the intended man-year adjustments through failing to fill vacancies caused by attrition and other similar means including reclassifications of existing positions as necessary.

Sec. 24. Section 8, chapter 139, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

In order to carry out the provisions of these appropriations and the state budget, the director of the office of program planning and fiscal management with the approval of the governor, may:

(1) Allot all ((of)) or any portion of the funds herein appropriated or included in this budget, to the department for such periods as he shall determine and may place any funds not so allotted in reserve available for subsequent allotment. (({a} When necessary to limit total state expenditures to available revenues as required by RCW 43-88-440{2}; {b} When the department proposes the expenditure of a resource not disclosed in the budget request submitted to the Governor and Legislature: PROVIDED; HOWEVER; That)) The aggregate of allotments for the department shall not exceed the total of applicable appropriations ((and)) and local funds available to the

department or allied agency and unanticipated receipts approved for expenditure pursuant to law. It shall be unlawful for any officer or employee to incur obligations in excess of approved allotments or to incur a deficiency and any obligation so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959, shall prevent revision of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.

(2) Issue rules and regulations to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds.

(3) Prescribe procedures and forms to carry out the above.

(4) Allot funds from appropriations in this act in advance of July 1, 1973; for the sole purpose of authorizing the department and its allied agencies to order goods, supplies, or services for delivery after July 1, 1973: PROVIDED, That no expenditures may be made from the appropriations contained in this act, except as otherwise provided, until after July 1, 1973.

Sec. 25. Section 9, chapter 139, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

((Whenever possible, the receipt of)) Federal or other funds which ((are)) were not anticipated by the governor's budget for the 1973-75 biennium or in the appropriations enacted by ((the)) all sessions of the 43rd Legislature shall be used to support regular programs instead of using funds appropriated from state taxes or similar revenue sources pursuant to policies and procedures in section 67, chapter 142, Laws of 1974 1st ex. sess.

Sec. 26. Section 10, chapter 139, Laws of 1973 1st ex. sess. (uncodified) is amended to read as follows:

In the event that receipts from any source shall be less than those estimated ((in the budget from any source)) expenditures shall be limited to the amount received and allotments made as provided in section 8, chapter 139, Laws of 1973 1st ex. sess. Receipts for purposes of this section shall include amounts realized within one calendar month following the close of a fiscal period and applicable to expenditures of that period. The amount of such payment shall be credited to and shall be treated for all purposes as having been collected during the fiscal period.

NEW SECTION. Sec. 27. FOR THE OFFICE OF GOVERNOR  
General Fund Appropriation

Community Assistance.....	\$	163,824
State Headstart Program.....	\$	29,608
Program coordination: PROVIDED, That \$82,410 of this appropriation shall be from federal funds.....	\$	99,688

Sec. 28. Section 34, chapter 142, Laws of 1974 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION  
General Fund Appropriation for General

Apportionment: PROVIDED, That the weighting schedule to be used in computing the apportionment of funds

for each district for 1973-75 shall be based on the following factors: Each full time equivalent student enrolled -- 1.0; each full time equivalent student enrolled in vocational education in grades 9-12 when excess costs are documented for the class and where the class is approved by the state superintendent, an added -- 1.0; all identified culturally disadvantaged children receiving an approved program, an added -- .1; the factor established by the Superintendent of Public Instruction for use in the 1973-75 biennium designed to reimburse each district for costs resulting from staff education and experience greater than the minimum in the average salary schedule in use by Washington school districts adjusted to reflect legislative appropriation levels shall be used; for school districts enrolling fewer than 250 students in grades 9-12, for nonhigh districts judged remote and necessary by the State Board of Education and which enroll fewer than 100 students, and for small school plants which are judged remote and necessary within school districts by the state board of education shall be in accordance with the weighting factors used during the 1972-73 school year: PROVIDED, That all school districts judged remote and necessary for school apportionment purposes during the 1972-73 school year shall be considered remote and necessary for school apportionment purposes throughout the 1973-75 biennium unless their enrollment exceeds 250 students in grades 9-12 or for nonhigh districts unless their enrollment exceeds 100 students: PROVIDED, That a school district formed after July 1, 1971 and which formerly consisted of one or more shall districts qualifying during the preceding school year for additional weighting under the "remote and necessary" provision or "fewer than 250 students in grades 9-12" provision shall receive for a period of four years following consolidation such additional weighting as accrued to the qualifying district or districts for the school year preceding consolidation; full time equivalent students residing on tax exempt property (chapter 130, Laws of 1969), an added -- .25; full time equivalent students in an approved interdistrict cooperative program (chapter 130, Laws of 1969), an added -- .25: PROVIDED, That \$1,148,325 is included for allocation to local school districts outside



the school apportionment formula during the 1973-74 school year for the purpose of funding the difference between funds received to date and hereafter through the school apportionment formula for continuation of the \$40 per month salary increase provided for classified employees February 1, 1973 and the amount necessary for such continuation: PROVIDED, That an amount not to exceed \$345,020 is included for the five vocational-technical institutes: PROVIDED, That no portion of these funds shall be allocated to a school district which expends or anticipates expending moneys in excess of their certified budget or budget extensions thereto as filed with the office of the Superintendent of Public Instruction and the Board of Education: ((PROVIDED, That it is the intent of the Legislature the \$11,160,000 of the funds contained in this appropriation shall be used to reduce maintenance and operations excess levies to the extent an individual school district's revenue for 1974-75 exceeds the school district's revenue for 1973-74 exclusive of the two mill payment delayed from June to July: PROVIDED, That the Superintendent of Public Instruction shall withhold from the amounts otherwise to be distributed through the apportionment formula to the districts any funds in excess of such 1973-74 revenues unless such districts demonstrate that excess maintenance and operations levies have been reduced to a comparable level with 1973-74 school district revenues: PROVIDED, That no district shall be required to reduce excess maintenance and operation levies if such districts revenue per pupil for basic support is below the state-wide average of the 1973-74 school year for comparable districts:)) PROVIDED, That the receipt of federal funds which can be distributed through the apportionment formula and which provide funding in excess of 1973-74 categorical funding levels shall require the reversion of an equal amount of state funds at the end of the biennium: PROVIDED, That \$2,849,896 of this appropriation shall be allocated to local districts for additional reimbursement of incurred 1974-75 transportation costs: PROVIDED, That up to \$100,000 of this appropriation shall be utilized by the Superintendent of Public Instruction to further implement the

provisions of chapter 91, Laws of 1974 1st ex. sess. and to promote the safe transportation of common school students: PROVIDED FURTHER, That the Superintendent of Public Instruction shall consult with the House and Senate Ways and Means Committees prior to taking any action in compliance with ((these)) the following provisos and the determination of such committees shall be interpreted as a directive to the Superintendent of Public Instruction: PROVIDED, That \$646,819 is included for allocation to local school districts outside the school apportionment formula during the 1974-75 school year for the purpose of funding the difference between funds to be received through the school apportionment formula for continuation of the \$40 per month salary increase provided for classified employees February 1, 1973 and the amount necessary for such continuation: PROVIDED, That the Superintendent of Public Instruction shall conduct internal audits of all districts whose staff characteristics factor for 1974-75 has increased from fiscal 1973-74: PROVIDED, That the county treasurers shall withhold that percentage of May 1974 real estate excise tax receipts until July 1974 for distribution as directed by the Department of Revenue: PROVIDED, That the Department of Revenue shall establish such percentage to insure that not more than \$29,600,000 of county real estate excise taxes are distributed between July 1, 1973 and June 30, 1974: PROVIDED, That the Superintendent of Public Instruction is directed to adjust the per weighted pupil guarantee for the 1974-75 school year period to the extent additional revenue in excess of \$30,800,000 from the real estate excise tax becomes available: PROVIDED, That, \$800,000 or so much thereof as may be necessary to maintain the \$89,547,000 contained in this appropriation for the state collected property tax, shall be distributed to local school districts in the same manner as the distribution of the state collected property tax, contingent on the passage of chapter .... Laws of 1974 1st ex. sess.

(SB ...)..... ..((\$115,775,342))

\$119,782,592

NEW SECTION. Sec. 29. FOR THE

SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund Appropriation: PROVIDED,

That an amount not to exceed

\$114,000 shall be utilized for  
 Gifted Student pilot programs .....\$ 114,000  
NEW SECTION. Sec. 30. FOR THE  
 SUPERINTENDENT OF PUBLIC INSTRUCTION  
 General Fund Appropriation  
 For Handicapped Children--Excess  
 Costs: PROVIDED, That these funds  
 shall be utilized exclusively for  
 an additional 1,000 handicapped children  
 with learning language disabilities:  
 PROVIDED FURTHER, That the Superintendent  
 of Public Instruction shall conduct  
 internal audits of learning disabilities  
 programs in school districts to determine  
 the effectiveness of the learning  
 disabilities definition and shall report  
 back to the Ways and Means Committees  
 of the legislature prior to January  
 1, 1975 .....\$ 500,000  
NEW SECTION. Sec. 31. FOR THE  
 SUPERINTENDENT OF PUBLIC INSTRUCTION  
 General Fund Appropriation: PROVIDED,  
 That an amount not to exceed \$250,000  
 shall be utilized to conduct a study  
 of local school district data  
 processing: PROVIDED, That  
 recommendations resulting from this  
 study shall be presented to the  
 Governor and the Legislature on or  
 before December 20, 1974: PROVIDED  
 FURTHER, That this study shall be  
 conducted in cooperation with  
 representatives of local school  
 districts, the State Data Processing  
 Authority, the Office of Program  
 Planning and Fiscal Management, and the  
 House and Senate Ways and Means  
 Committees .....\$ 250,000  
NEW SECTION. Sec. 32. FOR THE  
 SUPERINTENDENT OF PUBLIC INSTRUCTION  
 General Fund Appropriation: PROVIDED,  
 That this appropriation shall be  
 used to conduct a review of  
 noninstructional education costs  
 by a task force selected from the  
 state business community .....\$ 35,000  
NEW SECTION. Sec. 33. FOR THE  
 SUPERINTENDENT OF PUBLIC INSTRUCTION  
 General Fund Appropriation  
 For continuation of the classified  
 salary study .....\$ 34,000  
NEW SECTION. Sec. 34. FOR THE  
 SUPERINTENDENT OF PUBLIC INSTRUCTION  
 General Fund Appropriation: PROVIDED,  
 That an amount not to exceed  
 \$225,000 shall be utilized for  
 the development of basic skills  
 accountability pilot programs in  
 grades kindergarten through six:

PROVIDED, That such a system shall include a survey of student achievement in reading, communications skills, and mathematics: PROVIDED FURTHER, That beginning July 1, 1975, the Office of the Superintendent of Public Instruction shall include in its biennial budget request such additional funds as it deems necessary to expand the kindergarten through sixth grade basic skills accountability program to all school districts in the State of Washington .....\$ 225,000

NEW SECTION. Sec. 35. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION  
General Fund Appropriation

To replace actual losses to affected school districts attendant to a final determination of Case 4263  
Ralph C. Valentine et. al. vs.  
Kenneth B. Johnston, et. al. ....\$ 750,298<sup>0</sup>

NEW SECTION. Sec. 36. FOR THE STATE BOARD OF EDUCATION  
Common School Construction Account Fund ....\$ 21,500,000

NEW SECTION. Sec. 37. FOR THE COUNCIL ON HIGHER EDUCATION

General Fund Appropriation: PROVIDED, That the council on higher education shall transmit copies of such budget review reports as are addressed in RCW 28B.80.030 to the house and senate ways and means committees and to the legislative budget committee no later than twenty days prior to the date on which the governor submits the budget document to the legislature: PROVIDED FURTHER, That the institutions of higher education and the state board for community college education shall furnish, at the council's direction, all information which the council deems necessary to execute the provisions of RCW 28B.80.030 .....\$ 123,700

NEW SECTION. Sec. 38. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation: PROVIDED, That none of these funds shall be used for faculty salary increases or related benefits: PROVIDED FURTHER, That the State Board for Community College Education shall submit a written report to the Office of Program Planning and Fiscal Management and the House and Senate Ways and Means Committees documenting the procedures adopted to apply the intent of this proviso to all formula generated funds:

PROVIDED, That recommendations to the 44th Legislature, Regular Session, shall be made for appropriate adjustments to the Community College funding formulas on the basis of institutional size and such other factors for which valid cost information exists: PROVIDED FURTHER, That such recommendations shall be made by the Office of Program Planning and Fiscal Management after consultation with and the receipt of recommendations of the staff of the Commission on Higher Education and of the State Board and the staffs of the House and Senate Ways and Means Committees by January 15, 1975:

PROVIDED, That \$100,000 of this appropriation or so much thereof as shall be necessary shall be used to support the intent of the commitment of the State Board for Community College Education Resolution No. 73-69 and these funds shall be used for the first year of a three-year demonstration project designed to provide community college services on a decentralized basis and without major capital facilities as a viable alternative delivery system and the community college Board is hereby required to compile data for (1) analysis of the demonstration as an effective means of delivery of educational services, and (2) identification of the cost factors and the accommodations necessary to relate the funding of this style of operation with that of the traditional approaches to delivery of services and a report of progress in implementing this proviso including specific information on the demonstration supported with these and related funds shall be submitted to the Legislative Budget Committee, the Council on Higher Education, and the Governor prior to the regular session of the legislature in January, 1975 .....\$ 3,127,502

Community College Capital Projects Account  
 Appropriation: PROVIDED, That funds are made available from releases of current reserve requirements, as retained in the Community College Bond Retirement Fund, contingent upon refinancing of revenue tuition bonds to full faith in credit bonds under HJR 52:  
 PROVIDED, That such funds released shall only be used for the purchase

and maintenance of capital assets, including equipment, and for such other purchases as set forth in RCW 28B.50.360: PROVIDED FURTHER, That none of these funds will be used for salary increases or additional FTE positions: PROVIDED, FURTHER, That the State Board for Community College Education shall submit a written report to the Office of Program Planning and Fiscal Management and the House and Senate Ways and Means Committees documenting the procedures adopted to apply the intent of this proviso to all formula generated funds .....\$ 4,900,000

Community College Capital Improvements Account  
 Appropriation: PROVIDED, That such funds shall be used for an inflationary adjustment to 1973 approved projects: PROVIDED FURTHER, That no expenditure of these funds shall be made until each project has been reviewed by the Office of Program Planning and Fiscal Management .....\$ 2,146,591

NEW SECTION. Sec. 39. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
 General Fund Appropriation: PROVIDED, That this appropriation shall be used for the independent development of an equipment inventory system to be used by all community colleges and to obtain an independent audit of the current inventory reported under the common system to be accomplished December 1, 1974: PROVIDED, That the common equipment inventory system shall include, but not be limited to, identification of equipment items, date of acquisition, estimated useful life, original cost, location, and programs which utilize the equipment .....\$ 40,000

NEW SECTION. Sec. 40. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION  
 Community College Capital Projects Account  
 Appropriation: PROVIDED, That such funds shall be used for instructional equipment, library equipment, and plant equipment .....\$ 1,772,498

NEW SECTION. Sec. 41. FOR THE WASHINGTON STATE HISTORICAL SOCIETY  
 General Fund Appropriation .....\$ 35,600

Sec. 42. Section 41, chapter 142, Laws of 1974 1st ex. sess. (uncodified) is amended to read as follows:  
 FOR THE STATE LIBRARY  
 General Fund Appropriation: PROVIDED, That ((\$1,336,000 of this amount should be allotted to local library districts

to replace local property tax revenues and maintain present levels of library service: PROVIDED, That \$1,669,353 of this amount shall be from Federal funds under which \$1,400,620 is available for library service and \$260,733 is available for capital construction purposes: PROVIDED HOWEVER, That no Federal funds shall be expended unless authorized by the Senate and House Ways and Means Committees of the legislature: PROVIDED FURTHER, That \$863,000 of the State General Funds appropriated to the state library for the 1973-75 biennium shall be held in unallotted status and against which no expenditures or commitments shall be made pending the determination by the Office of Program Planning and Fiscal Management and the House and Senate Ways and Means Committees as to whether or not Federal funds can be authorized in lieu of the \$863,000 appropriation of state funds: PROVIDED FURTHER, That if the Federal funds are available, the \$863,000 in state funds shall revert to the state treasury .....\$ 3,005,353)

\$1,128,081 of this amount be in state funds and that \$317,124 of this amount shall be allotted to the on-going operation of the resource directory and \$810,957 shall be allotted to the further development of said resource directory: PROVIDED FURTHER, That the executive director, data processing authority shall approve all work orders and deliverables under such work orders in the further development of the resource directory: PROVIDED FURTHER, That the office of program planning and fiscal management shall determine an appropriate method of fair and equitable reimbursement by local library district participants for service provided through said resource directory, and make recommendations to the 44th Legislature, Regular Session: PROVIDED FURTHER, That \$1,997,822 of this amount be in federal funds, of which \$260,733 is available for local capital construction grant purposes: PROVIDED FURTHER, That \$863,000 from the state appropriation from the 43rd Legislature, 1st extraordinary session, chapter 137, Laws of 1973 shall be returned to the state general fund and an appropriation contained herein of \$863,000 in federal funds shall be substituted in lieu of state funds in compliance with federal law .....\$ 3,125,903

NEW SECTION. Sec. 43. FOR THE DEPARTMENT  
OF GENERAL ADMINISTRATION

General Fund -- Capitol Building Construction  
Account Appropriation:

For a proposal to dredge and modify  
water flow into and from Capitol Lake ...\$ 50,000

NEW SECTION. Sec. 44. FOR THE STATE  
BOARD OF PRISON TERMS AND PAROLES

General Fund Appropriation: PROVIDED,

That this appropriation shall be  
used to implement reorganization  
under chapter ..., Laws of 1974  
1st ex. sess. (ESHB No. 647) .....\$ 211,297

NEW SECTION. Sec. 45. FOR THE  
DEPARTMENT OF REVENUE

General Fund Appropriation

For the purpose of uniform distribution  
of relief to local library districts  
for reductions resulting from SJR 1  
and the 106% levy limitation for taxes  
due and payable in 1974 only .....\$ 1,336,000

NEW SECTION. Sec. 46. FOR THE  
STATE TREASURER--TRANSFERS

General Fund Appropriation

For transfer to the General  
Fund--Public Facilities Construction  
Loan and Grant Revolving Account on  
or before June 30, 1975 as required  
to meet obligations of the Economic  
Assistance Authority .....\$ 662,932

NEW SECTION. Sec. 47. FOR THE  
WASHINGTON STATE LEGISLATURE

General Fund Appropriation: PROVIDED,

That an amount not to exceed \$75,000  
shall be utilized by the Ways and  
Means Committees of the House and  
Senate to design a fiscal information  
and budget review system that will  
include providing the Ways and Means  
Committees of the House and Senate  
with sufficient analytical data on  
integrated and multiple organizations  
and programs so that responsive and  
more effective policy decisions can  
be made regarding the allocation and  
reallocation of limited program  
resources and the design shall be  
responsive to legislative intent to  
have a system that will clearly  
provide accountability at various  
program and organizational levels .....\$ 75,000

NEW SECTION. Sec. 48. FOR THE  
DEPARTMENT OF ECOLOGY

General Fund Appropriation: PROVIDED,

That the department shall grant  
the moneys contained within this  
appropriation to activated air  
pollution control authorities:  
PROVIDED FURTHER, That the moneys



contained in this appropriation shall be exclusively from federal funds .....\$ 680,400

NEW SECTION. Sec. 49. FOR THE  
CENTRAL WASHINGTON STATE COLLEGE  
General Fund Appropriation: PROVIDED,  
That Central Washington State College explore the feasibility of the development and implementation of a management by objective program for the administration of public agencies .....\$ 150,000

NEW SECTION. Sec. 50. FOR THE  
DEPARTMENT OF EMERGENCY SERVICES  
General Fund Appropriation  
For distribution of federal funds received from Federal-State Disaster Assistance Agreement No. FDAA-414-DR for relief of flood and storm damages to public property as incurred in January 1974: PROVIDED, That this appropriation shall be entirely from federal funds .....\$ 4,000,000

NEW SECTION. Sec. 51. FOR THE  
UNIVERSITY OF WASHINGTON  
General Fund Appropriation: To provide, to the School of Public Health and Community Medicine sufficient appropriations to implement a program of research and analysis of health care and health care programs in the State of Washington that will provide independent data to the legislative and administrative branches of state government necessary to the formulation of policies and the development of improved health care programs .....\$ 85,700

NEW SECTION. Sec. 52. FOR THE  
WASHINGTON STATE LEGISLATURE  
General Fund Appropriation: PROVIDED, That this amount shall be used to fund a survey and those necessary activities, related to the survey, by a Select Committee of the House and Senate necessary to enable that Legislative Committee to make recommendations to the 44th Regular session of the Legislature concerning the feasibility of converting the the state-owned liquor operations to a privately-owned system, or to a system combining state and private ownership: PROVIDED FURTHER, That the analysis shall include evaluation of the economics and operating characteristics of the existing state-owned liquor operations and analysis of the economics and

operating characteristics of a state-owned wholesaling system combined with privately-owned package stores and, privately-owned wholesaling combined with privately-owned package stores: PROVIDED, That such analysis shall include, in considering the feasibility of converting the existing system to an alternative system, consideration of the revenue impact on the various units of government receiving revenues from the existing system .....\$ 63,250

NEW SECTION. Sec. 53. FOR THE EASTERN WASHINGTON STATE COLLEGE  
Eastern Washington State College Capital Projects Account: Appropriation for remodeling of Martin Hall .....\$ 35,000

NEW SECTION. Sec. 54. FOR THE EASTERN WASHINGTON STATE COLLEGE  
General Fund--State Higher Education Construction Account: Construct and equip a Fresh Water Research Laboratory .....\$ 260,000

NEW SECTION. Sec. 55. FOR THE WESTERN WASHINGTON STATE COLLEGE  
General Fund--State Higher Education Construction Account  
For finishing space in Environmental Sciences Building, remodeling space in Arts Building and for instructional equipment in technology and home economics department .....\$ 1,820,900

NEW SECTION. Sec. 56. FOR THE WASHINGTON STATE HISTORICAL SOCIETY  
General Fund Appropriation  
For the final matching appropriation of the state's share of one-half the cost of the new wing addition .....\$ 111,000

Sec. 57. Section 52, chapter 142, Laws of 1974 1st ex. sess. (uncodified) is amended to read as follows:  
FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES  
General Fund Appropriation  
For capital improvements required to certify schools for the retarded as skilled nursing homes .....\$ 650,000

((General Fund--State and Local Improvement Revolving Account--Social and Health Services Facilities: Appropriated pursuant to the provisions of chapter 136, Laws of 1972 ex. sess.; (Referendum 29); for social and health services facilities: The Department of Social and Health Services is authorized to obligate for purposes of carrying out the provisions of chapter 136, Laws of 1972 ex. sess.; For Capital Improvements at the State Veterans'

Home and the State Soldiers' Home  
 required to meet state fire and safety  
 standards -----(\$ 2,000,000)

NEW SECTION. Sec. 58. FOR THE DEPARTMENT  
 OF SOCIAL AND HEALTH SERVICES

	From the General	From the CEP&RI
	Fund	Account

Capital improvements at the State Veterans' Home and the State Soldiers' Home	\$1,800,000	\$200,000
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PROVIDED, That the CEP&RI Account shall reimburse the general fund in the amount of \$500,000 in the 1975-77 biennium: PROVIDED, FURTHER, That the department obtain and utilize all federal funds available for such purposes and any such federal funds will replace an equal amount of state general funds.

NEW SECTION. Sec. 59. FOR THE  
 EVERGREEN STATE COLLEGE

Construct and equip Communications Arts Building The Evergreen State College Capital Projects Account .....	\$ 1,032,000
General Fund--State Higher Education Construction Account .....	\$ 5,720,180

NEW SECTION. Sec. 60. The State Board for Community College Education shall reallocate, among the 1973 capital projects approved by the legislature, funds which become available when bids are awarded in amounts less than the State Board authorization for purposes of offsetting increased costs of original project designs.

NEW SECTION. Sec. 61. It is the intention of the legislature that after January 1, 1975 no warrant issued by the state in payment of salary and wages or reimbursement of expenses paid state officials or employees shall contain any statement, representation, contract, or commitment that requires the payee to consent thereto as a condition of endorsement or receiving payment of such warrant.

NEW SECTION. Sec. 62. All acts of the Legislative Budget Committee and of the House and Senate Committees on Ways and Means in approving proposed expenditures from unanticipated receipts under subsections (2) and (3) of section 67, chapter 142, Laws of 1974 1st ex. sess. (uncodified) and in approving exceptions to subsection (1) of section 67, chapter 142, Laws of 1974 1st ex. sess. (uncodified) are hereby approved and ratified.

NEW SECTION. Sec. 63. If federal funds become available for use in capital improvements at the schools for the retarded, such federal funds will be used in lieu of state funds appropriated for that purpose in chapter 142, Laws of 1974 1st ex. sess.

NEW SECTION. Sec. 64. It is the intent of the legislature that to the extent any district received funds through the state apportionment formula in excess of the amount anticipated when such district established its excess levies for the 1975 collection which relieves special levy burdens, the local district should place a first priority on reducing such special levies.

NEW SECTION. Sec. 65. All personal services contracts except those which the director of the Office of Program

Planning and Fiscal Management may exempt after consultation with the Legislative Budget Committee shall be filed with the Office of Program Planning and Fiscal Management and the Legislative Budget Committee prior to obligating any portion of the appropriations approved in this 1974 amendatory act.

NEW SECTION. Sec. 66. In order to carry out the provisions of this 1974 amendatory act, the director of the Office of Program Planning and Fiscal Management with the approval of the governor, may:

(1) Allot all or any portion of the funds herein appropriated or included in this budget, to state executive agencies subject to allotment requirements for such periods as he shall determine and may place any funds not so allotted in reserve available for subsequent allotment. The aggregate of allotments shall not exceed the total of applicable appropriations, local funds available and unanticipated receipts approved for expenditure. It shall be unlawful for any officer or employee to incur obligations in excess of approval allotments or to incur a deficiency and any obligation so made shall be deemed invalid. Nothing in this section or in chapter 328, Laws of 1959, shall prevent revision of any allotment when necessary to prevent the making of expenditures under appropriations in this act in excess of available revenues.

(2) Issue rules and regulations to establish uniform standards and business practices throughout the state service, including regulation of travel by officers and employees and the conditions under which per diem shall be paid, so as to improve efficiency and conserve funds.

(3) Prescribe procedures and forms to carry out the above.

NEW SECTION. Sec. 67. If any provision of this 1974 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 68. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1 strike the title and insert:

"AN ACT Relating to expenditures by state agencies and for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; making other appropriations; designating effective dates for certain appropriations; amending section 2, chapter 139, Laws of 1973 1st ex. sess. (uncodified); amending section 3, chapter 139, Laws of 1973 1st ex. sess. (uncodified); amending section 8, chapter 139, Laws of 1973 1st ex. sess. (uncodified); amending section 9, chapter 139, Laws of 1973 1st ex. sess. (uncodified); amending section 10, chapter 139, Laws of 1973 1st ex. sess. (uncodified); amending section 34, chapter 142, Laws of 1974 1st ex. sess. (uncodified); amending section 41, chapter 142, Laws of 1974 1st ex. sess. (uncodified); amending section 52, chapter 142, Laws of 1974 1st ex. sess. (uncodified); and declaring an emergency."

Signed by Representatives Bagnariol, Chairman; Shinpoch, Vice Chairman; Randall, Vice Chairman; Bausch, Charette, Ehlers, Erickson, Gaspard, Goltz, Hurley, Kilbury, King, Kopet, Luders, North (Frances), Sawyer, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke.

## MOTION

On motion of Mr. Thompson, the rules were suspended, and Engrossed Substitute Senate Bill No. 3253 was placed on today's second reading calendar.

April 19, 1974  
SENATE BILL NO. 3380, Prime sponsor: Senator Day, relating to health care services, enabling the hospital commission to undertake a state cost containment control program in lieu of a federal control program as authorized under federal law and regulation, reported by Committee on Social and Health Services.

MAJORITY recommendation: Do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Ellis, Eng, Fortson, Freeman, Hendricks, Honan, Jastad, May, Paris, Rabel, Savage.

To Committee on Rules for second reading.

## SECOND READING

## MOTION

Mr. Thompson moved that the House immediately consider ENGROSSED SUBSTITUTE SENATE BILL NO. 3277.

The motion was carried.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3277, by Committee on Ecology (Originally sponsored by Senators Washington and Murray):

Providing for the state environmental policy.

The bill was read the second time.

Mr. Luders moved adoption of the following amendment:  
On page 4, following line 10 add a new section as follows:

"NEW SECTION. Sec. 3. There is added to chapter 109, Laws of 1971 ex. sess. and to chapter 43.21C RCW a new section to read as follows:

The limitations on challenges to action taken by a governmental entity under section 2 of this 1974 amendatory act shall not constitute the time limits for a challenge or appeal on the adoption of rules by state agencies, political subdivisions, public or municipal corporations or counties, but the limitations under section 2 of this 1974 amendatory act shall apply to a challenge or appeal of such

rule adoption on grounds of noncompliance with RCW 43.21C.030 (2) (c)."

Renumber the remaining sections consecutively.

Representatives Luders and Julin spoke in favor of the amendment, and it was adopted.

On motion of Mr. Luders, the following amendments were adopted:

On page 4, line 16 after "board." insert the following:

"The council shall be abolished and shall cease to exist at midnight, June 30, 1976. The guidelines established by the council prior to midnight, June 30, 1976, shall continue to be valid and of force and effect, except as they are thereafter amended by further guidelines promulgated by the department of ecology, in accord with chapter 34.04 RCW.

Upon the abolishment of the council on June 30, 1976, all powers, duties and functions of the council are transferred to the department of ecology."

On page 6, line 32 after "RCW" insert ": PROVIDED, That the rules and guidelines adopted by the council under section 5 of this 1974 amendatory act shall be submitted during December, 1974"

On page 8, line 6 after "be" insert "adopted in accordance with the provisions of chapter 34.04 RCW and shall be"

On page 8, line 16 after "hundred" strike "twenty" and insert "eighty"

On page 10, line 17 after "application." add the following: "Whenever the procedures established pursuant to chapter 90.62 RCW are used, those procedures shall be utilized wherever possible to satisfy the procedural requirements of RCW 43.21C.030(2) (c). The time limits for challenges provided for in section 2(2) of this 1974 amendatory act shall be applicable when such procedures are so utilized."

On page 10, following line 27 add a new section as follows:

"NEW SECTION. Sec. 15. There is appropriated from the general fund to the council, the sum of one hundred thousand dollars, or so much thereof as shall be necessary to carry out the purposes of this 1974 amendatory act."

Renumber the remaining sections consecutively.

Mr. Hansey moved adoption of the following amendment:

On page 11 after line 11 insert a new section as follows:

"NEW SECTION. Sec. 13. Whenever the costs to the governmental entity responsible for the preparation of a detailed statement required by the provisions of chapter 43.21C.030 RCW exceed one percent of the last annual budget of such governmental entity and someone other than such responsible governmental entity does not voluntarily assume the costs of compliance with this chapter, the department of ecology shall, at the request of such responsible governmental agency, prepare the detailed statement required by the provisions of chapter 43.21C.030 RCW."

Renumber the remaining sections consecutively.

Mr. Hansey spoke in favor of the amendment, and Representatives Luders and Julin spoke against it.

The amendment was not adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3277 as amended by the House was placed on final passage.

Mr. Luders spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3277 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yeas: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Kopet, Zimmerman.

Engrossed Substitute Senate Bill No. 3277 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Julin, Engrossed Substitute Senate Bill No. 3277 as amended by the House was ordered transmitted immediately to the Senate.

#### MOTION

On motion of Mr. Thompson, further consideration of the bills on today's calendar was deferred, and the bills were ordered placed on the calendar of the next working day, with the exception of HOUSE BILL NO. 1545, which was returned to the Committee on Rules.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## MOTION

On motion of Mr. Newhouse, the House adjourned until 9:00 a.m., Saturday, April 20, 1974.

DEAN R. FOSTER, Chief Clerk.

LEONARD A. SAWYER, Speaker.



## THIRTY-SEVENTH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Saturday, April 20, 1974.

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Anderson, Julin and Zimmerman. Representative Zimmerman was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend George M. Mitchell of the First Christian Church of Olympia.

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

## MESSAGES FROM THE SENATE

April 19, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3096,

SUBSTITUTE SENATE BILL NO. 3341,

ENGROSSED SENATE BILL NO. 3382,

SENATE CONCURRENT RESOLUTION NO. 151,

and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 19, 1974

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 94,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

## INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 3096, by Senator Rasmussen:

AN ACT Relating to state agency housing; and amending section 43.82.010, chapter 8, Laws of 1965 as last amended by section 1, chapter 121, Laws of 1969 and RCW 43.82.010.

To Committee on State Government.

SUBSTITUTE SENATE BILL NO. 3341, by Committee on Social and Health Services (Originally sponsored by Senators Jones and Day):

AN ACT Relating to the uniform alcoholism and intoxication treatment act; amending section 12, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.120; amending section 14, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.140; and repealing section 13, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.130.

To Committee on Social and Health Services.

ENGROSSED SENATE BILL NO. 3382, by Committee on Higher Education (Endorsed by Senators Sandison, Guess, Marsh, Scott, Donohue and Durkan):

AN ACT Relating to the laws against discrimination; and amending section 4, chapter 167, Laws of 1969 ex. sess. as amended by section 13, chapter 141, Laws of 1973 and RCW 49.60.222; and declaring an emergency.

To Committee on Judiciary.

ENGROSSED SENATE CONCURRENT RESOLUTION NO. 151, by Senators Atwood, Mardesich and Bailey:

Authorizing a study of retirement systems.

#### MOTIONS

On motion of Mr. Charette, the rules were suspended and Engrossed Senate Concurrent Resolution No. 151 was advanced to second reading and read the second time in full.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Engrossed Senate Concurrent Resolution No. 151 was placed on final passage.

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

Engrossed Senate Concurrent Resolution No. 151 was adopted.

#### REPORTS OF STANDING COMMITTEES

April 18, 1974  
HOUSE BILL NO. 447, Prime sponsor: Representative Randall, pertaining to tax exemptions, exclusions, deductions and credits, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Section 1. Section 11, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.825 are each amended to read as follows:

An application fee of thirty-five dollars for each (~~annual~~) initial application for exemption and a fee of ten dollars for each renewal application shall be deposited within the general fund. Applications made for assessment year 1974 will be considered initial applications whether or not an exemption has previously been approved."

In line 1 of the title after "credits;" strike the remainder of the title and insert "and amending section 11, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.825."

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Benitz, Bluechel, Brown, Eikenberry, Erickson, Flanagan, Goltz, Hurley, Julin, Kilbury, King, Pardini.

To Committee on Rules for second reading.

April 18, 1974

HOUSE BILL NO. 1030, Prime sponsor: Representative Charette, relating to printing requirements of the legislature, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinoch, Chairman; Amen, Bausch, Charette, Chatalas, Curtis, Ehlers, Gaspard, Hansey, Kopet, Luders, North (Lois), Polk, Smith, Thompson, Valle, Van Dyk, Warnke.

To Committee on Rules for second reading.

April 18, 1974

HOUSE BILL NO. 1079, Prime sponsor: Representative Valle, relating to health and safety, reported by Committee on Social and Health Services.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Adams, Chairman; Parker, Vice Chairman; Eng, Fortson, Freeman, Hendricks, Honan, Johnson, Matthews, May, Paris, Savage, Winsley.

To Committee on Rules for second reading.

April 18, 1974

HOUSE BILL NO. 1505, Prime sponsor: Representative Haussler, revising cigarette tax, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

Beginning on page 1 strike all of sections 1 through 8 and renumber the remaining sections consecutively.

On page 1, beginning on line 1 of the title, after "taxation;" strike all material down to and including "RCW 73.32.130" on line 16.

On page 1, beginning on line 18 of the title, strike "adding" and all material down to and including "82.24 RCW;" on line 19.

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Benitz, Bluechel, Brown, Eikenberry, Erickson, Flanagan, Julin, Kilbury, Pardini.

To Committee on Rules for second reading.

April 18, 1974

HOUSE CONCURRENT RESOLUTION NO. 36, Prime sponsor: Representative Randall, relating to revenue and taxation, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 1 of the resolution after "WHEREAS," strike the remainder of the resolution and insert the following:

"The passage of House Bill No. 52 (Chapter 187, Laws of 1973, First Extraordinary Session), introduced into Washington tax law a new concept for taxing leasehold interests; and

WHEREAS, This new law requires the county assessor to exercise judgment respecting factors other than the market value of the property with the result that the total tax liability of the lessee or the lessor is affected by a very close decision on the part of the assessor; and

WHEREAS, It would appear from reports to members of the legislature that considerable nonuniformity exists in the administration of the law and the impact on similar taxpayers in different counties;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, the Senate concurring, That there is hereby established a special committee to be known as the "Leasehold Tax Review Committee" to consist of four members of the Senate revenue committee to be appointed by the President of the Senate and four members of the House of Representatives revenue committee to be appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Leasehold Tax Review Committee is hereby instructed to review the operation of the law respecting the taxation of leasehold interests and report to the legislature any recommendations for revision it believes would improve the administration and equity respecting the taxation of leasehold interests, such report to be presented to the legislature not later than January 20, 1975."

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Brown, Erickson, Flanagan, Goltz, Hurley, Kilbury, King, Moon.

To Committee on Rules for second reading.

April 18, 1974

ENGROSSED SENATE BILL NO. 2401, Prime sponsor: Senator Woody, providing for personalized license plates, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 4, beginning on line 9 after "dollars" strike "PROVIDED FURTHER, That a special license plate series shall be provided, which is uniformly and exclusively available upon request and payment of the regular fee to any Washington State National Guardsman, and that the special fees required by this section shall not be applicable to a member of the Washington State National Guard applying for a special license plate"

On page 4, line 16, after "RCW" strike "46.16.200" and insert "46.16.220"

On page 4, line 26 after "prior to" strike "April" and insert "July"

On page 5, line 1 after "plates" insert ": PROVIDED FURTHER, That any person who acquired such plates prior to December 6, 1973, and paid the additional twenty dollars to renew them for 1974 shall upon application to the department be refunded the twenty dollar additional fee paid"

Signed By Representatives Randall, Chairman; Sommers, Vice Chairwoman; Benitz, Eikenberry, Erickson, Goltz, Hurley, King, Kuehne, Moon.

To Committee on Rules for second reading.

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

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

On motion of Mr. Charette, the House recessed until 1:30 p.m.

AFTERNOON SESSION

The House was called to order at 1:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Benitz, Blair, Chatalas, Julin, Nelson, Parker, Rabel, Smith and

Zimmerman. Representatives Julin, Rabel and Zimmerman were excused.

#### MOTION

On motion of Mr. Charette, the House reverted to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES

April 20, 1974

HOUSE BILL NO. 1, Prime sponsor: Representative May, exempting prescription drugs from retail sales and use taxes, reported by Committee on Ways and Means - Revenue.

MAJORITY recommendation: Do pass with the following amendments:

On page 8, line 2 after "drugs." insert "The term 'prescription drugs' shall include any medicine, drug, prescription lens, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans or animals ordered by the written direction of a dentist, physician, veterinarian or other person duly authorized by law of this state or laws of another jurisdiction to issue such written order."

On page 13, line 21 after "drugs." insert "The term 'prescription drugs' shall include any medicine, drug, prescription lens, or other substance other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans or animals ordered by the written direction of a dentist, physician, veterinarian or other person duly authorized by law of this state or laws of another jurisdiction to issue such written order."

On page 13, beginning on line 22 after "Sec. 3." strike everything down to and including "1973" on line 23 and insert "The effective date of this 1974 amendatory act is July 1, 1974"

Signed by Representatives Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Bluechel, Eikenberry, Goltz, Hurley, Kilbury, Pardini, Sawyer.

To Committee on Rules for second reading.

April 20, 1974

HOUSE BILL NO. 1052, Prime sponsor: Representative Bauer, authorizing school district summer school programs with attendant fees for maintenance and operation costs, reported by Committee on Education.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Clemente, Ehlers, Fortson, Hendricks, Hoggins, Johnson, Kishimoto, Pullen, Warnke.

To Committee on Rules for second reading.

April 17, 1974

SUBSTITUTE SENATE BILL NO. 2017, Prime sponsor: Senator Bailey, making certain changes in the veterans' bonus law, reported by Committee on Ways and Means Appropriations.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 4 after "PROVIDED," strike all material down to and including "PROVIDED FURTHER," on line 8 and insert "((HOWEVER; That persons otherwise eligible who have been continuously in said armed services for a period of five years or more immediately prior to August 5, 1964; shall not be eligible to receive compensation under the terms of this chapter: PROVIDED FURTHER))"

Signed by Representatives Shinpoch, Chairman; North (Frances), Vice Chairwoman; Bagnariol, Bausch, Charette, Chatalas, Ehlers, Gaspard, Hansey, Luders, Smith, Thompson, Valle, Van Dyk, Warnke.

To Committee on Rules for second reading.

#### PARLIAMENTARY INQUIRY

Mr. Pardini: "The committee reports that we just read in--House Bill No. 1542, the formulary drug bill, was not read in. Was that bill signed out of committee, and is it to be read in?"

The Speaker (Mr. O'Brien presiding): "These are all the committee reports that we have at this time."

#### SECOND READING

ENGROSSED SENATE BILL NO. 3358, by Senators Peterson (Lowell) and Atwood:

Authorizing the disposition of the site and improvements of the Northern State Hospital.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendments, see Journal for thirty-third day, 3rd ex. sess., April 16, 1974.)

Mr. Adams moved adoption of the committee amendments.

Mr. Charnley moved adoption of the following amendment to the committee amendment by Representatives Charnley and Shinpoch:

On page 1 of the printed committee amendment after section 4 insert the following:

"NEW SECTION. Sec. 5. Prior to any disposal of the property of Northern State Hospital by either the department of natural resources or the department of general administration as authorized by sections 3 and 4 of this 1974 act, the proposal for any such disposition shall be submitted to the house and senate ways and means committees for approval or rejection if the legislature is in session. If the legislature is not in session the proposal for any such disposition shall be submitted for approval or rejection to the legislative budget committee. If the house and senate ways and means committees or the legislative budget committee fails to approve or reject a proposal within sixty days of its submittal to the legislative bodies herein named such proposal shall be deemed to have been approved."

Renumber the remaining section consecutively.

Mr. Charnley spoke in favor of the amendment to the committee amendment.

#### POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Hansey.

Mr. Hansey: "Representative Charnley, just to clarify, would you give the intent and purpose of the benefits that would be derived if we do pass this amendment?"

Mr. Charnley: "I just want the Legislature to be in the position to review any plans for disposition of this property and that it not just be left in the hands of the administrative bodies alone."

#### MOTION

On motion of Mr. Thompson, further consideration of Engrossed Senate Bill No. 3358 was deferred until after consideration of Engrossed Senate Bill No. 3202.

ENGROSSED SUBSTITUTE SENATE BILL NO. 3146, by Committee on State Government (Originally sponsored by Senators Whetzel, Durkan and Dore):

Providing for art in public buildings.

The bill was read the second time.

Committee on State Government recommendation: Do pass as amended. (For amendments, see Journal for twenty-third day, 3rd ex. sess., February 5, 1974.)

Mr. Williams moved adoption of the first committee amendment.

Representatives Williams, Polk and Bluechel spoke in favor of the amendment, and Representative Cunningham spoke against it.



The first committee amendment was adopted.

On motion of Mr. Williams, the remaining committee amendments were adopted.

On motion of Mr. Williams, the following amendment was adopted:

On page 2, section 3, line 19 strike "state capitol committee" and insert "department of general administration"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3146 as amended by the House was placed on final passage.

Mr. Polk spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3146 as amended by the House, and the bill passed the House by the following vote: Yeas, 80; nays, 12; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Nelson, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Shinoch, Smith, Thompson, Valle, Van Dyk, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Cunningham, Garrett, Gaspard, Leckenby, May, Moon, Morrison, Newhouse, Schumaker, Tilly, Warnke.

Not voting: Representatives Anderson, Benitz, Julin, Parker, Sommers, Zimmerman.

Engrossed Substitute Senate Bill No. 3146 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3202, by Senators Marsh, Metcalf, Sandison, Keefe, Atwood and Lewis (Harry) - by Council on Higher Education request:

Establishing the college work-study program for needy students in post-secondary institutions and public vocational technical schools.

The bill was read the second time.

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendment, see Journal for thirty-second day, 3rd ex. sess., April 15, 1974.)

On motion of Ms. Maxie, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3202 as amended by the House was placed on final passage.

Ms. Maxie spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Newhouse.

Mr. Newhouse: "We had understood in Rules that this was passed through federal moneys, that there were no state funds involved. Is that your understanding?"

Mr. Shinpoch: "It has always been my understanding that we were talking about state general fund money."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3202 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4,

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Rabel, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn.

Not voting: Representatives Benitz, Julin, Zimmerman, and Mr. Speaker.

Engrossed Senate Bill No. 3202 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3358:

The House resumed consideration of Engrossed Senate Bill No. 3358.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be consideration of the amendment to the committee amendment by Representatives Charnley and Shinpoch.

Mr. Charnley spoke in favor of the amendment to the amendment.

POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Berentson.

Mr. Berentson: "In looking at this, I don't think we have any real objection other than the fact that if, by chance, an agreement is not made by January 30, 1975, then it would revert to GSA, and my question is: Have we then left section 5 in and therefore, even though it has reverted to be treated as any other state property, have we put that limitation of having to come back to the legislature or the legislative budget committee with this particular state property, even though we just completed an agreement with the local entity of Skagit County? We tried to draw up an amendment, but not being a constitutional lawyer, I don't think that we can just say that in that event section 5 is null and void. We could write up a proviso, but we didn't have time. Are we putting this in the position of permanently being subject to House and Senate approval?"

Mr. Charnley: "I feel that this would not happen, partly because it is stated there in the 4th line... 'of this 1974 act.' This is specifically dealing with sections 3 and 4 of this act and when those sections are either terminated or come to an end, then section 5 would come to an end also. It is not my intent to have this hang on forever."

POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Charnley, would rejection by any of the bodies that are mentioned be supposed to kill any deal that has been proposed--or that had been submitted for approval? In other words, it says '...for approval or rejection.' Are you saying that the legislative body would have the authority to reject a deal?"

Mr. Charnley: "Yes, this is what I am saying, Representative Leckenby. If the legislature said no, that they didn't think that it was in the interest of the state, then the agency involved would have to come back with a further proposal."

The amendment to the committee amendment was adopted.

The committee amendment as amended was adopted.

On motion of Mr. Charnley, the committee amendment to the title was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3358 as amended by the House was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3358 as amended by the House, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Julin, Luders, Rabel, Zimmerman.

Engrossed Senate Bill No. 3358 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Thompson, consideration of SECOND SUBSTITUTE HOUSE BILL NO. 1043, HOUSE BILL NO. 1288, and ENGROSSED SENATE BILL NO. 2156 was deferred, and the bills were ordered placed at the bottom of today's second reading calendar.

On motion of Mr. Eikenberry, Engrossed Substitute Senate Bill No. 3146, Engrossed Senate Bill No. 3202 and Engrossed Senate Bill No. 3358 were ordered immediately transmitted to the Senate.

HOUSE BILL NO. 867, by Representatives Perry and Kraabel:

Relating to urban arterial projects.

The bill was read the second time.

On motion of Mr. Perry, Substitute House Bill No. 867 was substituted for House Bill No. 867, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 867 was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 867 was placed on final passage.

Representatives Ceccarelli, Leckenby and Savage spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 867, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Hoggins, Julin, Rabel, Zimmerman.

Substitute House Bill No. 867, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 3143, by Senators Day and Donohue:

Extending the authority of hospital districts.

The bill was read the second time.

Committee on Social and Health Services recommendation: Majority, do pass as amended. (For amendment, see Journal for thirty-sixth day, 3rd ex. sess., April 19, 1974.)

On motion of Mr. Parker, the committee amendment was adopted.

Mr. Amen moved adoption of the following amendment by Representatives Amen, Adams and Matthews:

On page 1, line 21 after "available" insert "PROVIDED FURTHER, That districts located in counties having a population of over 18,000 may not construct nursing homes"

Representatives Amen and Charette spoke in favor of the amendment, and Representatives Wilson and Newhouse spoke against it.

#### POINT OF INQUIRY

Mr. Amen yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Amen, the proviso says '...counties having a population of over 18,000 may not construct nursing homes.' Surely this must include the majority of counties in the state. Could you itemize for us which counties would not, under your amendment, be able to construct nursing homes?"

Mr. Amen: "I don't have a list of the counties, Representative Douthwaite, but it probably covers about 12 or 15 counties, most of them on the east side, and I think there is about 2 or 3 on the west side."

Mr. Douthwaite: "Only the counties on the east side then, are the ones who could engage in this type of construction essentially. Most of the west side of the state, I presume, would be censored out?"

Mr. Amen: "Representative Douthwaite, I do have a list of the counties here, if you want a list of them--these are the ones who could construct nursing homes--Adams, Asotin, Columbia, Douglas, Garfield (and this is the county that we are concerned about, Garfield County), Jefferson, Klickitat, Lincoln, Pacific, Pend Oreille, San Juan, Skamania, Stevens and Wahkiakum."

Representatives Douthwaite and Blair spoke in opposition to the amendment, and Representatives Matthews, Leckenby and Amen spoke in favor of it.

The amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3143 as amended by the House was placed on final passage.

Mr. Parker spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3143 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 6; not voting, 3.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Douthwaite, Ehlers, Gaines, Polk, Williams.

Not voting: Representatives Julin, Rabel, Zimmerman.

Engrossed Senate Bill No. 3143 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

April 20, 1974

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 151,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker was about to sign:

SUBSTITUTE HOUSE BILL NO. 94,  
SENATE CONCURRENT RESOLUTION NO. 151.

## MOTION

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

## THIRD READING

ENGROSSED HOUSE BILL NO. 352, by Representatives Moon, Flanagan, Williams and Erickson:

Pertaining to listing of exempt property.

The bill was read the third time.

MOTION

On motion of Mr. Charette, Engrossed House Bill No. 352 was referred to the Committee on Rules.

MOTION

On motion of Mr. Charette, the Committee on Rules was relieved of HOUSE BILL NO. 447, and the bill was ordered placed at the bottom of today's second reading calendar.

ENGROSSED HOUSE BILL NO. 491, by Representatives Johnson, Conner and Ellis:

Directing the highway commission to provide additional phone service in certain areas.

The bill was read the third time.

Representative Johnson spoke in favor of passage of the bill, and Representatives Berentson and Garrett spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 491, and the bill failed to pass the House by the following vote: Yeas, 48; nays, 44; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Ceccarelli, Charette, Charley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eng, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Perry, Randall, Savage, Shinpoch, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Ellis, Erickson, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hawkins, Hayner, Hendricks, Honan, Juelling, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Smith, Sommers, Tilly, Wilson, Winsley.

Not voting: Representatives Anderson, Eikenberry, Julin, Parker, Rabel, Zimmerman.

Engrossed House Bill No. 491, having failed to receive the constitutional majority, was declared lost.

MOTION

On motion of Mr. Thompson, the House reverted to the sixth order of business.



## SECOND READING

## MOTION

On motion of Mr. Thompson, House Bill No. 447 was placed on the calendar for immediate consideration.

HOUSE BILL NO. 447, by Representative Randall:

Pertaining to tax exemptions, exclusions, deductions and credits.

The bill was read the second time.

Committee on Ways and Means - Revenue recommendation: Majority, do pass as amended. (For amendments, see today's Journal, morning session.)

Mr. Randall moved adoption of the committee amendment.

Mr. Charnley moved adoption of the following amendment to the committee amendment:

On page 1, line 3 after "fee of" insert "no more than"

Mr. Charnley spoke in favor of the amendment to the amendment.

Mr. Moon spoke against the amendment, and Mr. Charnley spoke again in favor of it.

## POINT OF INQUIRY

Mr. Charnley yielded to question by Mr. Blair.

Mr. Blair: "I am quite curious as to why anyone would ask for a tax exemption on \$200 worth of property?"

Mr. Charnley: "It's rather a complex question. In the situations that I have come in to, Representative Blair, a fee school may be using the facilities of a church, but the property--the tricycles, the sandbox, the tables, whatever it is that they are using--is their property and they either are being forced by the situation to give that property to the church--and they don't want to do that, they want to keep it themselves in case they move--or the assessor comes and says 'You are a separate organization and you are using this facility and I am going to assess a tax on your property.'"

Mr. Flanagan spoke in favor of the amendment to the committee amendment, and Mr. Randall spoke against it.

The amendment to the committee amendment was not adopted on a rising vote.

Mr. Newhouse moved adoption of the following amendment to the committee amendment by Representatives Amen, Newhouse, O'Brien, Pullen and Hayner:

Strike the committee amendment and insert:

On page 1 strike everything after the enacting clause and insert:

"Section 1. Section 9, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.815 are each amended to read as follows:

In order to qualify or requalify for exempt status for real or personal property pursuant to the provisions of chapter 84.36 RCW, as now or hereafter amended, all foreign national governments, churches, cemeteries, nongovernmental nonprofit corporations, organizations, and associations, private schools or colleges, and soil and water conservation districts must file an ((annual renewal)) application ((verifying the facts in the original)) claim with the state department of revenue. All application forms shall be signed by an authorized agent of the applicant. Such applications must be filed on forms prescribed by the department of revenue ((no later than March 31 of each year)). The department of revenue may provide by rule that such applications may be available at and filed with each county assessor and forwarded to the department of revenue for review.

Sec. 2. Section 11, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.825 are each amended to read as follows:

An application fee of thirty-five dollars for ((each annual)) application for exemption shall be deposited within the general fund. Applications made for assessment year 1974 will be considered initial applications whether or not an exemption has previously been approved.

Sec. 3. Section 12, chapter 40, Laws of 1973 2nd ex. sess. and RCW 84.36.830 are each amended to read as follows:

The department of revenue shall review each application for exemption and make a determination thereon prior to August 1st of the assessment year for which such application is made. The department of revenue may request such additional relevant information as it deems necessary. The department of revenue shall make a physical inspection of the property and satisfy itself as to the use of all parcels prior to approving or denying the application, and thereafter at least once each four years. The department may require a renewal application for continued exemption in any year when substantial changes in the use of a parcel may require review of its exempt status. When the department of revenue has examined the application and the subject property, it shall either approve or deny the request and clearly state the reasons for approval or denial in written notification by certified mail to the applicant. Approval shall entitle such parcel to exempt status unless there is a cessation of use under which the exemption has been granted in which case the provisions of RCW 84.36.810 shall apply: PROVIDED, That it shall be the duty of the owner or such agent given the responsibility for the control and/or management of the property to report within 180 days any change in status which may change the status of the property. The department shall also notify the assessor of the county in which the property is located. The county assessor shall place such property on the assessment roll for the current year."

Representatives Amen, Newhouse, Benitz and Flanagan spoke in favor of the amendment, and Representatives Sommers and Williams spoke against it.

The amendment to the committee amendment was lost.

The committee amendment was adopted.

On motion of Mr. Randall, the committee amendment to the title was adopted.

House Bill No. 447 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading was considered the third, and Engrossed House Bill No. 447 was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 447, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Yoting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn.

Not voting: Representatives Anderson, Ceccarelli, Haussler, Julin, Kuehne, Rabel, Zimmerman, and Mr. Speaker.

Engrossed House Bill No. 447, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

My voting button did not hold. My vote is "yea" on Engrossed House Bill No. 447.

DAVE CECCARELLI, 34th District.

#### MOTION

Mr. Charette moved that the House advance to the eighth order of business.

## POINT OF ORDER

Mr. Newhouse: "My point, Mr. Speaker, is that the rules state in Rule 88 that notice must be given..."

The Speaker (Mr. O'Brien presiding): "Right now the motion before us is the motion to advance to the eighth order of business. Is there any discussion on this motion?"

Mr. Pardini spoke against the motion.

The motion was carried.

## AMENDMENTS TO HOUSE RULES

The Speaker (Mr. O'Brien presiding) stated that notice had been previously given of proposed changes to House Rules.

## POINT OF ORDER

Mr. Newhouse: "I suggest that the amendment to House Rules is out of order, because yesterday the maker of this motion did not serve notice of intent to change the rules. The procedure has been, historically, that the notice must be given; the following working day the action must be submitted to the body. If it is not, the notice must be extended. The notice has not been given since some time in February--about the 10th of February, and I do not believe that is adequate notice under our House Rules."

Mr. Charette: "Rule 85 provides that you can make a change to the rules by giving notice--it states '...Provided, that the proposed change or changes be submitted in writing to the members together with notice of the consideration thereof at least one day in advance.' We gave notice on February 13 that we were going to change the rules. I don't think that the purpose of Rule 85 is subverted at all. The purpose of Rule 85 is to give notice, and I would hardly think that anyone could complain at this much notice."

## POINT OF ORDER

Mr. Newhouse: "Under the interpretation as advanced by Mr. Charette, the majority party or anyone on the first day of the session, could in effect submit a notice of change in rules and that notice, according to this interpretation, would be good all during the session. As I recall the notice given by Mr. Charette, the notice did not specify which rule he was going to change. It was a blanket type notice and I suggest that he is out of order for this day's business."

## SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "According to the information provided by the Chief Clerk, notice of the rule

changes were printed and submitted to the members on February 13th and this session is a continuation of that session. If you will read House Rule 85 (the rule recited by Mr. Charette) it states rather clearly that the notice must be given at least one day in advance. You have had sufficient notice."

PARLIAMENTARY INQUIRY

Mr. Curtis: "I am not sure that I understood. Are you saying that the Chief Clerk's information said that Mr. Charette gave notice of rule changes to these specific rules that we now have printed before us? Or was it simply a notice to change rules?"

SPEAKER'S REPLY

The Speaker (Mr. O'Brien presiding): "This a reproduction of what was passed out on February 13th."

PARLIAMENTARY INQUIRY

Mr. Curtis: "Would it be possible to have read to the House the Journal of the day of February 13th so that we might hear Mr. Charette's notice to change rules--specifically, if he gave notice to change Rule 24, Rule 55 and Rule 70?"

The Speaker (Mr. O'Brien presiding): "Mr. Curtis, I think that if you check our proceedings of the February session, that these rule changes are practically identical to the changes we made in September, so you are well aware of the rule change that was made at that time. This is just a reiteration, reproduction, or whatever you might want to call it, of the rule at that time and we are just reinstating it."

PARLIAMENTARY INQUIRY

Mr. Curtis: "May we have read to the House the Journal of the day of February 13th, if that is the day in question, at which time, and specifically I am referring to Mr. Charette's words, when he gave notice of proposed changes to Rules 24, 55 and 70?"

The Speaker (Mr. O'Brien presiding): "Mr. Curtis, in connection with your parliamentary inquiry, notice of amendment to House Rules was made by Mr. Charette on February 13th. At that time prospective changes of the rules were distributed to the members."

PARLIAMENTARY INQUIRY

Mr. Curtis: "Mr. Speaker, I respectfully ask, might we hear the Clerk read Representative Charette's notice that was given on that day? I specifically would like to know if Mr. Charette said that he was proposing to change Rules 24, 55 and 70, or some such reference."

## SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "It is more or less a precedent and custom just to serve notice on one working day and then subsequently have the details submitted to the members. I can't bear this out completely--I haven't checked into all Journals as to how the notice has been given, but you were alerted to the notice and the prospective rule changes were distributed to you and to everyone and it was followed up with written notice in the Journal, so it was given."

## PARLIAMENTARY INQUIRY

Mr. Curtis: "All I would like to do is have the Journal read for that day as far as Mr. Charette's remarks are concerned."

The Speaker (Mr. O'Brien presiding) requested the Clerk to read the Journal entry.

## POINT OF ORDER

Mr. Curtis: "In light of that notice--he said he was going to serve notice on the next working day, and this is some time from that--I would respectfully suggest that consideration of this motion to change these rules is now out of order. We need a one day notice. If you want to serve that today, tell us that you are going to make the motion tomorrow and then you are perfectly in order. If not, it seems to me that you are out of order."

## SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "Do you have a House Rule book? If you will read Rule 85 it is quite explicit."

## POINT OF ORDER

Mr. Newhouse: "You often bring up custom and practice of this House and I would remind you, and I think ask you, has it not been the practice if notice has been given and during the next day's action the rule change has not been considered, then toward the end of the next working day the member who has served notice must extend that notice for the next working day, otherwise the amendment has died? That has been the practice during other administrations, other speakers, including your own."

## SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "To my knowledge, Mr. Newhouse, the point has never been raised in this manner; it has never been challenged before. We are now ruling that it is in order."

## AMENDMENTS TO HOUSE RULES

The Clerk read the following amendment to House Rule No. 24:

On line 3, after "second" and before "extraordinary" insert "and third"

Mr. Charette moved adoption of the amendment, and spoke in favor of it.

Debate ensued, Representatives Savage, King and Charette speaking in favor of the amendment, and Representatives Pardini, Newhouse, Kuehnle and Curtis speaking against it.

The amendment was adopted.

Mr. Charette moved adoption of the following amendment to House Rule No. 55:

On line 11, after "second" and before "extraordinary" insert "and third"

Mr. Charette spoke in favor of the amendment, and Mr. Newhouse spoke against it.

The amendment was adopted.

Mr. Charette moved adoption of the following amendment to House Rule 70:

On line 8 after "second" and before "extraordinary" insert "and third"

Mr. Charette spoke in favor of the amendment, and Mr. Pardini spoke against it.

## POINT OF INQUIRY

Mr. Charette yielded to question by Mr. Thompson.

Mr. Thompson: "Representative Charette, if the House of Representatives adopts this rule change, would it affect any action that was taken today on a measure that might have been defeated by the House in which a member of our caucus might be interested?"

Mr. Charette: "I am going to smile when I say yes."

Mr. Eikenberry demanded an electric roll call and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment to House Rule No. 70, and the amendment was adopted by the following vote: Yeas, 55; nays, 37; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson,

Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Jueling, Kishimoto, Kopet, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Not voting: Representatives Anderson, Julin, Kraabel, Rabel, Williams, Zimmerman.

#### MOTION

Mr. Pardini moved that the House immediately consider ENGROSSED SUBSTITUTE SENATE BILL NO. 3253.

#### SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "We are not on that order of business, Mr. Pardini. Do you want to revert to the sixth order of business? We are now on the eighth order."

Mr. Pardini moved that the House revert to the sixth order of business for the purpose of considering immediately Engrossed Substitute Senate Bill No. 3253.

#### POINT OF ORDER

Mr. Pardini: "My point of order is why my first motion was not in order under the eighth order of business?"

#### SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "The first motion was made to consider the bill immediately and we were not on the order of business of second reading of bills. We are on the eighth order of business."

#### MOTION

Mr. Pardini withdrew his motion and moved that Engrossed Substitute Senate Bill No. 3253 be made a special order of business at 6:15 p.m. today.

#### SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "It has been held time after time, Mr. Pardini, that to consider a bill, or to advance it, or to change a bill from one committee, or to make it a special order of business you have to be on the proper order of business. In this instance, it's the sixth order of business, second reading of bills, and we



are not on that order. Therefore, your motion is declared out of order."

MOTIONS

On motion of Mr. Charette, the House reverted to the sixth order of business.

SECOND READING

MOTION

On motion of Mr. Charette, Engrossed Substitute Senate Bill No. 3253 was placed on the calendar for immediate consideration.

MOTION

Mr. Charette moved that the House recess until 7:30 p.m.

Mr. Newhouse moved that the House adjourn until 2:00 p.m. Sunday, April 21, 1974.

The motion by Mr. Newhouse was lost.

Mr. Charette's motion to recess until 7:30 p.m. was carried.

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EVENING SESSION  
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The House was called to order at 7:30 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Anderson, Berentson, Hayner, Hoggins, Kraabel, Leckenby, Morrison, North (Lois) and Zimmerman. Representative Zimmerman was excused.

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

Mr. Charette demanded a Call of the House, and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was ordered to lock the doors.

The Clerk called the roll and all members were present except Representatives Anderson, Blair, Julin, Paris, Rabel and Zimmerman.

## MOTION

On motion of Mr. Thompson, the absent members were excused, and the House proceeded with business under the Call of the House.

## SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3253, by Committee on Ways and Means (Originally sponsored by Senators Donohue and Odegaard):

Making appropriations for the operation of state government.

The bill was read the second time.

Committee on Ways and Means recommendation: Majority, do pass as amended. (For amendments, see Journal for thirty-sixth day, 3rd ex. sess., April 19, 1974.)

Mr. Shinpoch moved adoption of the committee amendment.

Mr. Shinpoch moved adoption of the following amendments to the committee amendment:

On page 3, line 26 after "for" and before "incurred" strike "cost" and insert "costs"

On page 30, line 33 after "the" and before "community" strike "Ddepartment's" and insert "Department's"

On page 31, line 13 after "referred" strike the remainder of line 13 and insert "including remedial services."

On page 38, line 5 insert a comma after "Rehabilitation" and before "Community"

On page 38, line 6 after "Services" and before "Divisions" strike the comma

On page 44, line 24 after "more" and before "districts" strike "shall" and insert "school"

On page 48, line 22 strike "(SB...)" and insert "(SSB 3283)"

On page 52, line 26 before "on" strike "Commission" and insert "Council"

Representatives Shinpoch and Kopet spoke in favor of the amendments.

The amendments to the committee amendment were adopted.

Mr. Blair appeared at the bar of the House.

## PARLIAMENTARY INQUIRY

Mr. Pardini: "For the benefit of the members, if we miss a section will we follow the normal procedure of being able to go back when these amendments are out of order, or are we going to have strict adherence to page and section?"

The Speaker: "Representative Pardini, what we try to do on the desk is, as we go through a bill, if something

gets out of order, we normally go back and present it and we don't adhere strictly, except if we are at the end of the budget bill and someone goes back and tries to open up a Section that has been thoroughly dealt with, I am afraid that I would have to rule it out of order. Normally, if it is a matter that has not been discussed before we are interested in full debate on the ideas and input into this budget."

Mr. Shinpoch moved adoption of the following amendment to the committee amendment by Representatives Shinpoch and Bagnariol:

On page 51, line 33 beginning with "PROVIDED" strike all the language down to and including the amount "\$2,146,591" on page 54, line 29 and insert the following:

"PROVIDED, That only those colleges whose faculty staffing levels for the 1974-75 school year are below 72% of formula based on average annual enrollment projections for the 1974-75 school year as demonstrated to the House and Senate Ways and Means Committees can expend funds from this appropriation in order to increase faculty staffing to the 72% of formula level: PROVIDED, That only those colleges whose faculty staffing levels are above the 72% of formula level who can demonstrate to the House and Senate Ways and Means Committees that they cannot operate and pay contractual obligations may expend funds from this appropriation: PROVIDED FURTHER, That the number of part time faculty granted contracts for the 1974-75 school year shall not exceed the number of part time faculty granted contracts for the 1973-74 school year.....\$ 5,000,000

General Fund Appropriation: PROVIDED That these funds will be released to the State Board for Community College Education after the Office of Program Planning and Fiscal Management has received a written commitment from the State Board for Community College Education that by September 1, 1976 all community colleges will be using a single administrative information system which employs a data base approach and that all processing of the administrative system will be accomplished on computer systems approved by the Data Processing Authority.....\$ 268,000  
NEW SECTION. Sec. 39. FOR THE STATE BOARD FOR

COMMUNITY COLLEGE EDUCATION  
General Fund Appropriation: PROVIDED, That funds contained in this appropriation together with not less than \$5,484,023 of the appropriation contained in section 8,

chapter 131, Laws of 1973 1st ex. sess. shall be expended during the 1974-75 school year only for the purchase, maintenance, and repair of equipment in the same manner as set forth by RCW 28B.50.360: PROVIDED FURTHER, That the entire amount of this appropriation is contingent upon the passage of chapter..., Laws of 1974 1st ex. sess. (HB 1327) and if such bill is not enacted into law this appropriation shall be null and void and of no force and effect whatsoever.....\$ 4,900,000

NEW SECTION. Sec. 40. FOR THE STATE BOARD FOR

COMMUNITY COLLEGE EDUCATION

Community College Projects

Account Appropriation: PROVIDED, That funds contained in this appropriation together with not less than \$5,484,023 of the appropriation contained in section 8, chapter 131, Laws of 1973 1st ex. sess. shall be expended during the 1974-75 school year only for the purchase, maintenance, and repair of equipment in the same manner as set forth by RCW 28B.50.360: PROVIDED, That funds in an amount equal to this appropriation are made available from releases of current reserve requirements, as retained in the Community College Bond Retirement Fund, contingent upon refinancing of revenue tuition bonds to full faith in credit bonds under HJR 52: PROVIDED, That the entire amount of this appropriation is contingent upon the failure of HB 1327 to be enacted into law by the 1974 1st extraordinary session of the legislature and if chapter ..., Laws of 1974 1st ex. sess. (HB 1327) is enacted into law this appropriation shall be null and void and of no force and effect whatsoever.....\$ 4,900,000

NEW SECTION. Sec. 41. FOR THE STATE BOARD FOR

COMMUNITY COLLEGE EDUCATION

General Fund Appropriation: PROVIDED, That recommendations to the 44th Legislature, Regular Session, shall be made for appropriate adjustments to the Community College funding formulas on the basis of institutional size and such other factors for which valid cost information exists: PROVIDED FURTHER, That such recommendations shall be made by the Office of Program Planning and Fiscal Management after consultation with and the receipt of recommendations of the staff of the Commission on Higher Education and of the State Board and the staffs of the House and Senate Ways and

Means Committees by January 15, 1975: PROVIDED, That this appropriation or so much thereof as shall be necessary shall be used to support the intent of the commitment of the State Board for Community College Education Resolution No. 73-69 and these funds shall be used for the first year of a three-year demonstration project designed to provide community college services on a decentralized basis and without major capital facilities as a viable alternative delivery system and the community college Board is hereby required to compile data for (1) analysis of the demonstration as an effective means of delivery of educational services, and (2) identification of the cost factors and the accommodations necessary to relate the funding of this style of operation with that of the traditional approaches to delivery of services and a report of progress in implementing this proviso including specific information on the demonstration supported with these and related funds shall be submitted to the Legislative Budget Committee, the Council on Higher Education, and the Governor prior to the regular session of the legislature in January, 1975.....\$ 100,000"

Renumber the remaining sections consecutively.

Mr. Shinpoch spoke in favor of the amendment, and Mr. Kopet spoke against it.

Mr. Shinpoch spoke again in favor of the amendment to the committee amendment.

Mr. Pardini demanded an electric roll call, and the demand was sustained.

Mr. Bagnariol spoke in favor of the amendment to the committee amendment, and Representatives Charnley and Polk spoke against it.

POINT OF ORDER

Mr. Shinpoch: "Mr. Speaker, Representative Polk is talking about construction costs and inflation costs, and this amendment does not pertain to those items."

The Speaker: "As Representative Shinpoch has often said, his logic is tremendous. You may proceed, Mr. Polk."

Mr. Polk: "Where was I?"

The Speaker: "You were just concluding your remarks."

Representatives Curtis and King spoke in opposition to the amendment, and Representatives Bagnariol and Shinpoch spoke in favor of it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment to the committee amendment by Representatives Shinpoch and Bagnariol, and the amendment was not adopted by the following vote: Yeas, 33; nays, 60; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bausch, Ceccarelli, Chatalas, Conner, Ehlers, Fortson, Gallagher, Gaspard, Goltz, Hawkins, Hurley, Johnson, Kilbury, Knowles, Laughlin, Lysen, Martinis, May, McCormick, O'Brien, Parker, Perry, Randall, Shinpoch, Sommers, Valle, Van Dyk, Warnke, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bauer, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charette, Charnley, Clemente, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Jastad, Jueling, Kalich, King, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Matthews, Maxie, Moon, Morrison, Nelson, Newhouse, North P., North L., Pardini, Patterson, Polk, Pullen, Savage, Schumaker, Smith, Thompson, Tilly, Williams, Wilson.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Charette moved adoption of the following amendment to the committee amendment:

On page 51, line 33 beginning with the word "PROVIDED" strike all language down to and including the amount "\$2,146,591" on page 54, line 29, and insert the following:

"PROVIDED, That only those colleges

whose final fall faculty staffing levels

for the 1974-75 school year are below

72% of formula based on average annual

enrollment projections for the 1974-75

school year as demonstrated to the House

and Senate Ways and Means Committees can

expend funds from this appropriation in

order to increase faculty staffing to the

72% of formula level: PROVIDED, That

only those colleges whose faculty

staffing levels are above the 72% of

formula level who can demonstrate to

the House and Senate Ways and Means

Committees that they cannot operate

and pay contractual obligations may

expend funds from this appropriation:

PROVIDED FURTHER, That the number of

part time faculty granted contracts for

the 1974-75 school year shall not exceed

the number of part time faculty granted

contracts for the 1973-74 school year....\$ 2,500,000

General Fund Appropriation: PROVIDED,

That these funds will be released to the State Board for Community College Education after the Office of Program Planning and Fiscal Management has received a written commitment from the State Board for Community College Education that by September 1, 1976 all community colleges will be using a single administrative information system which employs a data base approach and that all processing of the administrative system will be accomplished on computer systems approved by the Data Processing Authority.....\$

268,000

NEW SECTION. Sec. 39. FOR THE STATE

BOARD FOR

COMMUNITY COLLEGE EDUCATION

General Fund Appropriation: PROVIDED,

That funds contained in this appropriation together with not less than \$3,484,023 of the appropriation contained in section 8, chapter 131, Laws of 1973 1st ex. sess. shall be expended during the 1974-75 school year only for the purchase, maintenance, and repair of equipment in the same manner as set forth by RCW 28B.50.360: PROVIDED FURTHER, That the entire amount of this appropriation is contingent upon the passage of chapter ..., Laws of 1974 1st ex. sess. (HB 1327) and if such bill is not enacted into law this appropriation shall be null and void and of no force and effect whatsoever.....\$

4,900,000

NEW SECTION. Sec. 40. FOR THE STATE

BOARD FOR

COMMUNITY COLLEGE EDUCATION

Community College Projects Account

Appropriation: PROVIDED,

That funds contained in this appropriation together with not less than \$3,484,023 of the appropriation contained in section 8, chapter 131, Laws of 1973 1st ex. sess. shall be expended during the 1974-75 school year only for the purchase, maintenance, and repair of equipment in the same manner as set forth by RCW 28B.50.360: PROVIDED, That funds in an amount equal to this appropriation are made available from releases of current reserve requirements, as retained in the Community College Bond Retirement Fund, contingent upon refinancing of revenue tuition bonds to full faith in credit bonds under HJR 52: PROVIDED, That the entire amount of this appropriation is contingent upon the failure of HB 1327 to be enacted into law by the 1974 1st extraordinary session of the legislature and if

chapter ..., Laws of 1974 1st ex. sess. (HB 1327) is enacted into law this appropriation shall be null and void and of no force and effect whatsoever.....\$ 4,900,000

NEW SECTION. Sec. 41. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation: PROVIDED, That recommendations to the 44th Legislature, Regular Session, shall be made for appropriate adjustments to the Community College funding formulas on the basis of institutional size and such other factors for which valid cost information exists: PROVIDED, FURTHER, That such recommendation shall be made by the Office of Program Planning and Fiscal Management after consultation with and the receipt of recommendations of the staff of the Commission on Higher Education and of the State Board and the staffs of the House and Senate Ways and Means Committees by January 15, 1975: PROVIDED, That this appropriation or so much thereof as shall be necessary shall be used to support the intent of the commitment of the State Board for Community College Education Resolution No. 73-69 and these funds shall be used for the first year of a three-year demonstration project designed to provide community college services on a decentralized basis and without major capital facilities as a viable alternative delivery system and the community college Board is hereby required to compile data for (1) analysis of the demonstration as an effective means of delivery of educational services, and (2) identification of the cost factors and the accommodations necessary to relate the funding of this style of operation with that of the traditional approaches to delivery of services and a report of progress in implementing this proviso including specific information on the demonstration supported with these and related funds shall be submitted to the Legislative Budget Committee, the Council on Higher Education, and the Governor prior to the regular session of the legislature in January, 1975.....\$ 100,000" Renumber the remaining sections consecutively.

Mr. Charette spoke in favor of the amendment, and Representatives Charnley and Kopet spoke against it.



Mr. Pardini demanded an electric roll call, and the demand was sustained.

Mr. Pardini spoke against the amendment to the committee amendment.

#### MOTION

On motion of Mr. King, further consideration of Mr. Charette's amendment to the committee amendment was deferred until 10:30 p.m.

Mr. Shinpoch moved adoption of the following amendment to the committee amendment:

On page 55, line 16 strike section 40 and renumber the remaining sections consecutively.

#### MOTION

Mr. Curtis moved that consideration of the amendment be postponed until after consideration of the Charette amendment.

#### POINT OF INQUIRY

Mr. Kopet yielded to question by Mr. Shinpoch.

Mr. Shinpoch: "Representative Kopet, am I correct that this was intended to be taken out in the amendment that you placed and that we failed to get it out in the Code Reviser's and therefore it is merely a technical amendment trying to meet the requirements of the mandate of the House Ways and Means Committee?"

Mr. Kopet: "Yes, that is correct and I am not supporting the 'no' vote on this particular thing."

Mr. Curtis spoke in favor of his motion to postpone the amendment, and Mr. Shinpoch spoke against it.

#### POINT OF INQUIRY

Mr. Kopet yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Kopet, in the Ways and Means Committee you offered an amendment which put in the \$4,900,000 and at that particular time you said that you were sorry that your amendment was not totally complete and that if this amendment was not adopted that we should move into the bank section and take out this \$1,772,000 or whatever it is. Is that correct?"

Mr. Kopet: "On the amendment that I proposed, and was adopted, I had written on there 'strike section 40.' I can show you my notes. That was presented to the Chairman and when they adopted my amendment which is not on the bill, this should have been stricken. My amendment that was on the desk of the Chairman, and was voted on by the people, had my handwritten notice on it to strike section 40, but

the amendment that was handed to the Clerk did not have my handwritten note on it and, in all honesty, this was an agreed technical amendment, beside the question, and the battle that we are having on the other matter, and I support Mr. Shinpoch's amendment to remove this section."

Mr. Pardini spoke in favor of Mr. Curtis' motion.

The motion was lost on a rising vote.

The Speaker stated the question before the House to be the amendment to strike section 40.

The amendment to the committee amendment was adopted.

Mr. Shinpoch moved adoption of the following amendment to the committee amendment to Engrossed Substitute Senate Bill No. 3253, by Representatives Kopet and Shinpoch:

On page 58, line 12 after "only" insert ": PROVIDED, That said distribution will be made on the basis of values utilized for taxing purposes by respective districts for the 1972 levy"

Representatives Shinpoch and Kopet spoke in favor of the amendment to the committee amendment, and it was adopted.

Mr. Wilson moved adoption of the following amendment to the committee amendment by Representatives Wilson, Honan, Cunningham, North (Lois), Pullen and Morrison:

On page 1, line 14 after "named." insert the following: "NEW SECTION. Sec. 2. FOR THE SUPERINTENDENT OF PUBLIC

INSTRUCTION

General Fund Appropriation: PROVIDED, That \$15,000,000 of this appropriation or so much thereof as is necessary shall be distributed by the Superintendent of Public Instruction on the basis of \$20 per FTE enrolled pupil in each district levying an excess levy for maintenance and operation purposes for 1975 collection, or in which the maximum number of elections pursuant to law have been conducted for maintenance and operation excess levies for 1975 collections; or in each district which the per pupil cost in such district, excluding transportation, is less than the state average for the preceding year: PROVIDED, That for purposes of calculating the distribution to local school districts of the remaining portion of this appropriation, the following procedures shall be employed: The state average adjusted assessed valuation per FTE pupil shall be divided by the district adjusted assessed valuation per FTE

pupil as determined by use of the county indicated ratio, and the result of this division shall be multiplied by the factor derived by dividing the local district excess levy millage per \$1000 of assessed valuation, and the product of this multiplication shall be multiplied by the dollars of special levy relief available on an FTE enrolled pupil basis, multiplied by the number of FTE enrolled pupils in the district, which shall equal the special levy relief available to the district from this portion of the appropriation: PROVIDED, That the total amount of funds allocable under this section to school districts which are authorized to levy excess levies for maintenance and operation purposes for 1975 collections shall be utilized to reduce such levies and the Superintendent of Public Instruction shall reduce general apportionment allocations by the amount required in the case of districts not making such reductions: PROVIDED FURTHER, That no district shall receive more than 50 percent of the total dollars approved for maintenance and operation excess levies collectible in calendar year 1975.....\$ 40,000,000"

Renumber the remaining sections consecutively.

Representatives Wilson and Cunningham spoke in favor of the amendment to the committee amendment, and Representative Moon spoke against it.

Mr. Pardini demanded an electric roll call, and the demand was sustained.

Mrs. North (Lois) spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Wilson and others to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 42; nays, 51; not voting, 5.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Eng, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Kishimoto, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Matthews, Maxie, Morrison, Nelson, Newhouse,

North P., North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Luders, Lysen, Martinis, May, McCormick, Moon, O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Newhouse moved adoption of the following amendment to the committee amendment:

On page 1, line 21 after "\$35,333" insert the following:

"NEW SECTION. Sec. 3. FOR THE STATE TREASURER General Fund Appropriation: PROVIDED, That these funds shall be distributed to local governments to reimburse them and local school districts for revenue losses resulting from the implementation of a 10 year phase-out of the inventory tax beginning with a ten percent reduction in the inventory tax on regular and special levies collectible in calendar 1975: PROVIDED FURTHER, That the State Treasurer shall make such distributions based upon State Department of Revenue computations as to the amount of loss for each local school district and unit of local government.....\$ 2,269,000"  
Renumber the following sections consecutively.

Mr. Newhouse spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

Mr. Eikenberry demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Newhouse to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 38; nays, 55; not voting, 5.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas,

Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

#### SPECIAL ORDER OF BUSINESS

The Speaker stated that the hour of 10:30 p.m. having arrived, that the question before the House was the special order of business, the amendment by Mr. Charette to the committee amendment to page 51, line 33 to Engrossed Substitute Senate Bill No. 3253.

Mr. Charette moved adoption of the amendment.

Representatives Morrison and Kopet spoke in opposition to the amendment, and Representative Charette spoke in favor of it.

#### ROLL CALL

The Clerk called the roll on the amendment by Mr. Charette to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 40; nays, 53; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Ceccarelli, Charette, Chatalas, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Johnson, Kilbury, Martinis, Maxie, May, McCormick, O'Brien, Parker, Perry, Randall, Shinpoch, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Clemente, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Jastad, Juelling, Kalich, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Matthews, Moon, Morrison, Nelson, Newhouse, North F., North L., Pardini, Patterson, Polk, Pullen, Savage, Schumaker, Smith, Tilly, Wilson.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Nelson moved adoption of the following amendment to the committee amendment by Representatives Nelson, Hendricks, Curtis, Eikenberry, Garrett, Wilson and Tilly:

On page 2, line 12 after "\$50,000" insert the following:

"**NEW SECTION.** Sec. 6. FOR THE STATE TREASURER General Fund Appropriation: PROVIDED, That these funds shall be distributed to local governments to reimburse them

for revenue losses resulting from the elimination of the sales tax on prescription drugs effective April, 1974 and the effect of the phase out of the inventory tax on regular levies collectible in calendar 1975: PROVIDED FURTHER, That the State Treasurer shall make such distributions based upon State Department of Revenue computations as the amount of loss for each unit of local government.....\$ 3,380,000"  
 Renumber the following sections consecutively.

Mr. Nelson spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

Mr. Eikenberry demanded an electric roll call, and the demand was sustained.

Mr. Moon requested Mr. Nelson to yield to question, and Mr. Nelson refused to yield.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Nelson and others to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 38; nays, 55; not voting, 5.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Jueling, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Nelson moved adoption of the following amendment by Representatives Nelson, Paris, Matthews, Brown, North (Lois), Eikenberry and Hendricks to the committee amendment:

On page 2, line 21 after "13,000" insert the following:  
"NEW SECTION. Sec. 6. FOR THE STATE TREASURER  
 General Fund Appropriation: PROVIDED, That  
 these funds shall be distributed  
 to local governments to reimburse  
 them for revenue losses resulting

from the elimination of the sales tax on prescription drugs effective April, 1974: PROVIDED FURTHER, That the State Treasurer shall make such distributions based upon State Department of Revenue computations as the amount of loss for each unit of local government...\$ 780,000" Renumber the following sections consecutively.

Representatives Nelson, Hendricks and Hansey spoke in favor of the amendment, and Representative Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Nelson and others to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 38; nays, 55; not voting, 5.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Jueling, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Curtis moved adoption of the following amendment by Representatives Curtis, Nelson and Berentson to the committee amendment:

On page 2, line 29 after "\$462,476" insert the following:

"NEW SECTION. Sec. 6. FOR THE STATE TREASURER General Fund Appropriation: PROVIDED, That these funds shall be distributed to local governments to reimburse them for revenue losses resulting from the effect of the five year phase out of the inventory tax on regular levies collectible in calendar 1975: PROVIDED FURTHER, That the State Treasurer shall make such distribution based upon the State Department of Revenue computations as the amount of loss for each unit of local government.....\$ 2,600,000"

Renumber the remaining sections consecutively.

MOTION

Mr. Williams moved that the Committee on Rules be relieved of HOUSE BILL NO. 1, and that the bill be placed on the calendar for immediate consideration.

Mr. Williams spoke in favor of the motion.

Mr. Eikenberry demanded an electric roll call, and the demand was sustained.

Mr. May spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion by Mr. Williams to relieve the Rules Committee of House Bill No. 1 and place it on the second reading calendar for today, and the motion was passed by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

MOTION

Mr. Newhouse moved that the Committee on Ways and Means - Revenue be relieved of HOUSE BILL NO. 1301, and that the bill be placed on the second reading calendar for immediate consideration following House Bill No. 1.

ROLL CALL

The Clerk called the roll on the motion by Mr. Newhouse to relieve the Committee on Ways and Means - Revenue of House Bill No. 1301 and place it on the second reading calendar for immediate consideration, and the motion was passed by the following vote: Yeas, 77; nays, 16; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Conner, Cunningham,



Curtis, Eikenberry, Ellis, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Schumaker, Shinpoch, Smith, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bender, Charnley, Clemente, Douthwaite, Ehlers, Eng, Erickson, Fortson, Goltz, King, Lysen, May, Moon, Savage, Sommers, Williams.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

#### MOTION

Mr. Charette moved that consideration of HOUSE BILL NO. 1 and HOUSE BILL NO. 1301 be deferred, and the bills be placed on tomorrow's second reading calendar.

#### MOTION

Mr. Williams moved that Mr. Charette's motion be amended to place the bills on tomorrow's second reading calendar before ENGROSSED SUBSTITUTE SENATE BILL NO. 3253.

#### SPEAKER'S RULING

The Speaker: "Representative Williams, your motion is out of order because Engrossed Substitute Senate Bill No. 3253 is not on tomorrow's calendar."

Mr. Williams spoke against Mr. Charette's motion to defer consideration of House Bill No. 1 and House Bill No. 1301.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Charette that the House defer consideration of House Bill No. 1 and House Bill No. 1301 and place them on tomorrow's second reading calendar, and the motion was carried by the following vote: Yeas, 68; nays, 25; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Benitz, Berentson, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Conner, Curtis, Douthwaite, Ehlers, Ellis, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Morrison, Newhouse, North F., North L., O'Brien, Pardini, Parker, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bender, Blair, Brown, Clemente, Cunningham, Eikenberry, Eng, Freeman, Gilleland,

Hansey, Hayner, Hendricks, Honan, Juelling, Kishimoto, Kraabel, Kuehnle, Lysen, Matthews, Moon, Nelson, Patterson, Polk, Pullen, Wilson.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

The Speaker stated the question before the House to be the amendment by Representative Curtis and others to the committee amendment to Engrossed Substitute Senate Bill No. 3253.

With the consent of the House, Mr. Curtis withdrew the amendment.

Mr. Hoggins moved adoption of the following amendment by Representatives Hoggins, King, Martinis, Bender, Fortson, Nelson, Clemente and Brown to the committee amendment:

On page 2, after section 6 insert:

"NEW SECTION. Sec. 7. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

State Trade Fair Fund Appropriation: PROVIDED,

That this appropriation shall be used to support the Washington State Aviation

Trade Fair provisions of RCW 43.31

notwithstanding.....\$ 23,106"

Renumber the remaining sections consecutively.

Mr. Hoggins spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Hoggins and others to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was adopted by the following vote: Yeas, 77; nays, 16; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hoggins, Johnson, Juelling, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Perry, Polk, Pullen, Randall, Schumaker, Shinpoch, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wjahn, and Mr. Speaker.

Voting nay: Representatives Amen, Eng, Freeman, Hawkins, Hendricks, Honan, Hurley, Jastad, Kalich, Lysen, Maxie, May, Patterson, Savage, Smith, Williams.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Bagnariol moved adoption of the following amendment by Representatives Bagnariol and Douthwaite to the committee amendment:

On page 3, following line 8 insert the following:  
"PROVIDED, That this amount shall be used for  
the implementation of chapter ..., Laws of  
1974, 3rd extraordinary session (3rd  
SHB 1274).....\$ 2,200,000"

Representatives Bagnariol, Morrison, Douthwaite and Blair spoke in favor of the amendment, and Representative Kuehnle spoke against it.

ROLL CALL

The Clerk called the roll on the amendment by Representatives Bagnariol and Douthwaite to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was adopted by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Freeman, Gilleland, Kuehnle.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Hansey moved adoption of the following amendment to the committee amendment:

On page 3, strike section 13 and insert the following:

"NEW SECTION. Sec. 13. FOR THE OCEANOGRAPHIC COMMISSION OF WASHINGTON

General Fund Appropriation: PROVIDED, That these funds shall be used for a feasibility study of offshore monobuoy and related petroleum transfer facilities: PROVIDED, That the Commission shall commit up to \$25,000 from its FY 75 General Fund Appropriations for such study: PROVIDED FURTHER, That if federal funds are received for such study, said funds shall replace an equal amount of state funds.....\$ 402,150"

Representatives Hansey, Perry and Fortson spoke in favor of the amendment to the amendment, and Representatives Kopet and Douthwaite spoke against it.

## ROLL CALL

The Clerk called the roll on the amendment by Mr. Hansey to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was adopted by the following vote: Yeas, 72; nays, 21; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Honan, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Lysen, Martinis, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Patterson, Perry, Polk, Pullen, Savage, Schumaker, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Blair, Bluechel, Charette, Douthwaite, Flanagan, Hawkins, Hendricks, Hoggins, Juelling, Kopet, Luders, Matthews, Maxie, May, North L., Pardini, Parker, Randall, Shinpoch, Wilson.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

## EXPLANATION OF VOTE

Insert in the Journal that my vote is "yes" on the Hansey amendment to Engrossed Substitute Senate Bill No. 3253.

PEGGY JOAN MAXIE, 37th District.

Representative Leckenby moved adoption of the following amendment to the committee amendment:

On page 3, line 32 strike all of section 13 and renumber the remaining sections consecutively.

Mr. Leckenby spoke in favor of the amendment, and Mr. Luders spoke against it.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Leckenby to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment failed to pass the House by the following vote: Yeas, 9; nays, 84; not voting, 5.

Voting yea: Representatives Amen, Bagnariol, Flanagan, Kuehnle, Leckenby, Pardini, Patterson, Schumaker, Shinpoch.

Voting nay: Representatives Adams, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan,

Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Parker, Perry, Polk, Pullen, Randall, Savage, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Hansen moved adoption of the following amendment to the committee amendment by Representatives Hansen and Flanagan:

On page 4, line 16 add a new section as follows:

"NEW SECTION. Sec. 15. FOR THE STATE DATA PROCESSING AUTHORITY

General Fund Appropriation: PROVIDED, That these funds shall be used by Central Washington State College to convert from operation of its own computer facility to a remote terminal environment, sharing resources of a state computer service center.....\$ 125,000"  
Renumber the remaining sections consecutively.

Representatives Hansen, Kopet and Shinpoch spoke in favor of the amendment.

The amendment to the committee amendment was adopted.

The Speaker called on Mr. O'Brien to preside.

Mr. Curtis moved adoption of the following amendment to the committee amendment:

On page 5, line 10 strike "95,000" and insert "70,000"

Mr. Curtis spoke in favor of the amendment, and Mr. Van Dyk spoke against it.

Mr. Curtis again spoke in favor of the amendment to the committee amendment, and Mr. Hansen spoke against it.

#### ROLL CALL

The Clerk called the roll on the amendment by Mr. Curtis to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 41; nays, 52; not voting, 5.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Fortson, Freeman, Garrett, Hayner, Hendricks, Hoggins, Honan, Jastad, Juelling, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Luders, Lysen, Matthews, Morrison, Nelson, Newhouse, North F., North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson, Winsley.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen,

Hansey, Haussler, Hawkins, Hurley, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Martinis, Maxie, May, McCormick, Moon, O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mrs. Wojahn moved adoption of the following amendment by Representatives Wojahn and Hendricks to the committee amendment:

On page 5, line 23 after "Agency" insert ": PROVIDED FURTHER, That \$55,955 of this appropriation shall be used to implement the Poison Control Act, Chapter 49, Laws of 1974 1st ex. sess."

Representatives Wojahn and Hendricks spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the amendment by Representatives Wojahn and Hendricks to page 5, line 23 of the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was adopted by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yeas: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mrs. Wojahn moved adoption of the following amendment by Representatives Wojahn and Hendricks to the committee amendment:

On page 5, line 23 strike "\$172,604" and insert "\$228,559"

#### ROLL CALL

The Clerk called the roll on the amendment by Representatives Wojahn and Hendricks to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was adopted by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Warnke moved adoption of the following amendment to the committee amendment by Representatives Warnke, Chatalas, Curtis, Eng, Kopet, Bagnariol and Maxie:

On page 7, after section 19 insert a new section as follows:

"NEW SECTION. Sec. 20. FOR THE DEPARTMENT OF EMPLOYMENT SECURITY:

General Fund Appropriation: PROVIDED, That

the Department shall contract with Neighbors in Need for the purpose of removing Neighbors in Need recipients from reliance on food banks to full time gainful employment.

Neighbors in Need may subcontract on a performance contract basis for a statewide training, placement and follow up program to provide diagnostic, tutorial, GED, job training, job search and placement. Financial penalties shall be provided for lack of performance.....\$ 75,000

PROVIDED FURTHER, That federal WIN funds be provided on their normal matching ratio not to exceed.....\$ 675,000"

Renumber the remaining sections consecutively.

Ms. Maxie spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on the amendment by Representative Warnke and others to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was adopted by the following vote: Yeas, 88; nays, 5; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines,

Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Douthwaite, Lysen, May, Pardini, Schumaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Warnke moved adoption of the following amendment by Representatives O'Brien and Warnke to the committee amendment:

On page 25, section 22, line 9 after "\$74,526,793" insert the following "PROVIDED FURTHER, That the department may undertake a program of chartering transportation for students from Washington state schools for the blind and/or the deaf to and from points within this state over weekends and/or vacation periods."

Mr. Warnke spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the amendment by Representatives O'Brien and Warnke to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was adopted by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Parker moved adoption of the following amendment by Representatives Parker, Sommers and Chatalas to the committee amendment:

On page 26, line 23 insert after the colon "PROVIDED FURTHER, That any household whose grant will be reduced as a result of simplification will receive an amount equal to



the reduction from the State General Assistance program, and such amount, subject to the approval of Federal authorities, shall not be treated as income for the purposes of computing eligibility or payment levels with Federal assistance categories; there is appropriated to carry out this proviso the sum of \$1,000,000 in state funds: "

Representatives Parker and Sommers spoke in favor of the amendment, and Mr. Kopet spoke against it.

## ROLL CALL

The Clerk called the roll on the amendment by Representative Parker and others to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was adopted by the following vote: Yeas, 54; nays, 39; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hendricks, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Martinis, Maxie, Moon, North F., North L., O'Brien, Pardini, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hoggins, Honan, Hurley, Juelling, Kishimoto, Kopet, Kraabel, Kuehnle, Luders, Lysen, Matthews, May, McCormick, Morrison, Nelson, Newhouse, Patterson, Polk, Pullen, Schumaker, Tilly, Williams, Wilson, Winsley.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Parker moved adoption of the following amendment to the committee amendment by Representatives Parker, Sommers and Chatalas:

On page 29, line 31 strike "\$345,697,092" and insert "\$346,697,092"

## ROLL CALL

The Clerk called the roll on the amendment by Representative Parker and others to page 29 of the committee amendment to Engrossed Senate Bill No. 3253, and the amendment was adopted by the following vote: Yeas, 70; nays, 23; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis,

Maxie, May, McCormick, Moon, North F., North L., O'Brien, Pardini, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hayner, Kishimoto, Kuehnle, Matthews, Morrison, Nelson, Newhouse, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Matthews moved adoption of the following amendment to the committee amendment:

On page 36, section 21, line 10 after "thereafter" insert "PROVIDED, That of this appropriation \$950,000 shall be made available exclusively for the purpose of funding wage increases for Nursing Home employees mandated by federal legislation for the period May 1, 1974 through June 30, 1974"

Mr. Matthews spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

#### ROLL CALL

The Clerk called the roll on the amendment by Mr. Matthews to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 37; nays, 56; not voting, 5.

Voting yea: Representatives Amen, Barnes, Berentson, Blair, Bluechel, Brown, Ceccarelli, Chatalas, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Erickson, Garrett, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, May, Morrison, Nelson, Newhouse, Patterson, Polk, Pullen, Savage, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Benitz, Charette, Charney, Clemente, Douthwaite, Ellis, Eng, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hawkins, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Moon, North F., North L., O'Brien, Pardini, Parker, Perry, Randall, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Bagnariol moved adoption of the following amendment by Representatives Bagnariol, Shinpoch, Hendricks and Bausch to the committee amendment:

On page 43 after line 7 insert:

"NEW SECTION. Sec. 28. SPECIAL APPROPRIATIONS TO THE GOVERNOR

General Fund Appropriation: For allocation to state agencies to provide an additional monthly contribution of

\$15 per employee effective June 1, 1974 to employee insurance programs approved pursuant to chapter 41.05 RCW: PROVIDED, That \$1,004,947 shall be from FEDERAL revenue sources.....\$ 6,858,027

Special Fund - Insurance Benefits Increase Revolving Fund  
 Appropriation: There is hereby created in the state treasury the Special Fund Insurance Benefits Increase Revolving Fund which shall be used solely to facilitate payment of state employee insurance benefit increases from special funds, and the State Treasurer is hereby directed to transfer sufficient revenue from each special fund to the Special Fund Insurance Benefits Increase Revolving Fund, in accordance with schedules provided by the Office of Program Planning and Fiscal Management as required, effective June 1, 1974 for additional monthly contribution of \$15 per employee to employee insurance programs to be allotted to those agencies for employees who are participating in insurance programs approved pursuant to chapter 41.05 RCW...\$ 2,141,973"

Renumber the remaining sections consecutively.

Representatives Bagnariol and Hendricks spoke in favor of the amendment, and Mr. Pardini spoke against it.

#### ROLL CALL

The Clerk called the roll on the amendment by Representative Bagnariol and others to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was adopted by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Nelson, Pardini.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Bagnariol moved adoption of the following amendment to the committee amendment:

On page 46, line 26 strike "\$2,849,896" and insert "\$3,900,776"

ROLL CALL

The Clerk called the roll on the amendment by Representative Bagnariol to page 46 of the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was adopted by the following vote: Yeas, 85; nays, 8; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kraabel, Laughlin, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Hayner, Honan, Kopet, Kuehnle, Leckenby, Lysen, Schumaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Bagnariol moved adoption of the following amendment to the committee amendment:

On page 48, line 22 strike "\$119,782,592" and insert "\$120,833,472"

Mr. Bagnariol spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on the amendment by Representative Bagnariol to page 48, line 22 of the committee amendment to Engrossed Substitute Senate bill No. 3253, and the amendment was adopted by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly,

Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Eikenberry, Hayner, Kuehnle, Schumaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Bagnariol moved adoption of the following amendment to the committee amendment by Representatives Bagnariol and Shinpoch:

On page 48, line 23 add a new section as follows:

"NEW SECTION. Sec. 29. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund Appropriation: This appropriation shall be distributed by the Superintendent of Public Instruction on the basis of \$30 per FTE pupil, or as much as may be available for each FTE enrolled pupil in each district levying an excess levy for maintenance and operation purposes for 1975 collection, or in which the maximum number of elections pursuant to law have been conducted for maintenance and operation excess levies for 1975 collection; or in each district in which the per pupil cost in such district, excluding transportation is less than the state average for the preceding year.....\$ 25,000,000"  
Renumber the remaining sections consecutively.

Representatives Bagnariol and Cunningham spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Bluechel.

Mr. Bluechel: "Representative Bagnariol, would you explain to me how this sum of \$25,000,000 would reduce special levies, or could it be used, or is it intended to be used by the various school districts for teachers' salaries?"

Mr. Bagnariol: "I mentioned earlier that the people in the K-12 program do negotiate at the local level so I suppose that it could be possible that they could negotiate for salary increases. The intent, however, is to reduce special levies and if you will read the amendment '...each district levying an excess levy for maintenance and operation purposes for 1975 collection, or in which the maximum number of elections pursuant to law have been conducted for maintenance and operation in excess levies for 1975 collection; or in each district in which the per pupil cost in such district, excluding transportation is less than the state average for the preceding year...\$25,000,000.' What it is saying is that if a school district has lost their levy they can get parts of this

money to help with their special levy problem--if they pass their levy, they can use this to reduce that levy amount."

Mr. Bluechel: "How is a school district to return this money to the taxpayers?"

Mr. Bagnariol: "That is up to the local school districts."

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Pardini.

Mr. Pardini: "In an attempt to eliminate the other amendment that I am preparing, did I understand you correctly that the teachers could negotiate for their medical insurance if this amendment were to hang?"

Mr. Bagnariol: "I believe they can negotiate for their medical insurance whether or not this amendment were to hang."

Mr. Eikenberry spoke against adoption of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Bagnariol and Shinpoch to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was adopted by the following vote: Yeas, 88; nays, 5; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Clemente, Eikenberry, May, Moon.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Pardini moved adoption of the following amendment by Representatives Pardini, Blair and Brown to the committee amendment:

On page 49, line 12 after "1975" strike down to and including "\$35,000" on page 50, line 6, and insert the following ".....\$ 785,000"

Mr. Pardini spoke in favor of the amendment to the committee amendment, and Mr. Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on the amendment by Representatives Pardini, Blair and Brown to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 42; nays, 51; not voting, 5.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Goltz, Hansey, Hawkins, Hayner, Hendricks, Hoggins, Honan, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Luders, Matthews, May, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Hansen, Haussler, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Knowles, Laughlin, Lysen, Martinis, Maxie, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Lysen moved adoption of the following amendment to the committee amendment:

On page 49, section 31, lines 16 and 31 strike "\$250,000" and insert "\$25,000"

Mr. Lysen spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Pardini.

Mr. Pardini: "Representative Shinpoch, could you tell me who did request the appropriation for the study?"

Mr. Shinpoch: "No."

Representatives Pardini and Bagnariol spoke against adoption of the amendment to the committee amendment.

#### ROLL CALL

The Clerk called the roll on the amendment by Mr. Lysen to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 45; nays, 48; not voting, 5.

Voting yea: Representatives Amen, Barnes, Bender, Benitz, Berentson, Blair, Brown, Charnley, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Freeman, Garrett, Gilleland, Hansey,

Hawkins, Hayner, Hendricks, Honan, Jueling, Kishimoto, Kraabel, Kuehne, Lysen, Matthews, May, Morrison, Nelson, Newhouse, North F., North L., Pardini, Patterson, Polk, Schumaker, Tilly, Williams, Wilson, Winsley.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bluechel, Ceccarelli, Charette, Chatalas, Conner, Ellis, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Laughlin, Leckenby, Luders, Martinis, Maxie, McCormick, Moon, O'Brien, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

#### MOTION

Mr. Lysen moved that the House adjourn until 2:00 p.m., Sunday, April 21, 1974.

#### SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "Mr. Lysen, your motion is out of order. We are under the Call of the House."

#### MOTION

Mr. Lysen moved that the House dispense with further business under the Call of the House.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Lysen to dispense with the Call of the House, and the motion was not carried by the following vote: Yeas, 45; nays, 48; not voting, 5.

Voting yea: Representatives Amen, Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Clemente, Cunningham, Curtis, Douthwaite, Eikenberry, Eng, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Honan, Jueling, King, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Lysen, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Williams, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Ceccarelli, Charette, Chatalas, Conner, Ehlers, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

The House resumed consideration of Engrossed Substitute Senate Bill No. 3253 on second reading.



Mr. Kopet moved adoption of the following amendment to the committee amendment:

On page 55, line 22 after "\$1,772,498" insert the following:

"NEW SECTION. Sec. 41. FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation: PROVIDED, That these funds will be released to the State Board for Community College Education after the Office of Program Planning and Fiscal Management has received a written commitment from the State Board for Community College Education that by September 1, 1976 all community colleges will be using a single administrative information system which employs a data base approach and that all processing of the administrative system will be accomplished on computer systems approved by the Data Processing Authority.....\$ 268,000"  
Renumber the remaining sections consecutively.

Mr. Kopet spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the amendment to the committee amendment by Representative Kopet, and the amendment was adopted by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Gaspard moved adoption of the following amendment by Representatives Gaspard, Erickson, Ehlers, Hawkins and Parker to the committee amendment:

On page 58, following line 12 insert the following:

"NEW SECTION. Sec. 46. FOR THE DEPARTMENT OF REVENUE  
General Fund Appropriation: PROVIDED, That the Department shall use the money appropriated herein only for the purpose of reimbursing the Pierce

County Refund Fund for amounts not to exceed that required to be paid therefrom to the road districts, fire districts, rural library districts, and cities and towns of Pierce County by reason of the Washington State Supreme Court decision in Valentine v. Johnson, 83 Wash. 2d 390 (1974): PROVIDED FURTHER, That notwithstanding RCW 84.68.040, it is the intent of the legislature that no levy shall be made to recover any amount for which the fund has been reimbursed under this appropriation.....\$ 674,033." Renumber the remaining sections consecutively.

Mr. Gaspard spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the amendment by Representative Gaspard and others to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was adopted by the following vote: Yeas, 59; nays, 34; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Knowles, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Pardini, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Conner, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Kishimoto, Kopet, Kraabel, Kuehnle, Lysen, Matthews, Morrison, Nelson, Newhouse, North L., Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Goltz moved adoption of the following amendment to the committee amendment by Representatives Goltz, Van Dyk, Hansen, Ellis and Hansey:

On page 59, section 49, line 29 following "\$ 150,000" insert the following:

"Sec. 50. Section 7, chapter 131, Laws of 1973 1st ex.sess. (uncodified) as amended by section 49, chapter 142, Laws of 1974 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WESTERN WASHINGTON STATE COLLEGE  
General Fund Appropriation: PROVIDED, That none of the increased funds shall be expended to increase the faculty staffing level over the current funded level which reflects the

revised annual average enrollment  
 for 1973-74.....\$((24,648,545)) 24,801,750  
 General Fund Appropriation: For salary  
 and related fringe benefit increases  
 in addition to any other increases  
 authorized by chapter 137, Laws of  
 1973 1st ex. sess. for faculty and  
 exempt personnel.....\$ 1,032,000  
 Sec. 51. Section 5, chapter 131, Laws of 1973 1st ex.  
 sess. (uncodified) as amended by section 48, chapter 142,  
 Laws of 1974 1st ex. sess. (uncodified) is amended to read  
 as follows:

FOR THE CENTRAL WASHINGTON STATE COLLEGE  
 General Fund Appropriation: PROVIDED, That  
 Central Washington State College may  
 expend an amount not to exceed \$125,000  
 to explore the feasibility of the  
 development and implementation of a  
 management by objective program for  
 the administration of public agencies:  
 PROVIDED FURTHER, That none of the  
 increased funds shall be expended to  
 increase the faculty staffing level  
 over the current funded level which  
 reflects the revised annual average  
 enrollment for 1973-74.....\$((21,655,934)) 21,857,169

General Fund Appropriation: For salary  
 and related fringe benefit increases  
 in addition to any other increases  
 authorized by chapter ((~~---~~SB 2854))  
 137, Laws of 1973 1st ex. sess.  
 for faculty and exempt personnel.....\$ 850,876  
 Sec. 52. Section 4, chapter 131, Laws of 1973 1st ex.  
 sess. (uncodified) as amended by section 47, chapter 142,  
 Laws of 1974 1st ex. sess. (uncodified) is amended to read  
 as follows:

FOR THE EASTERN WASHINGTON STATE COLLEGE

General Fund Appropriation: PROVIDED, That  
 none of the increased funds shall  
 be expended to increase the faculty  
 staffing level over the current  
 funded level which reflects the  
 revised annual average enrollment  
 for 1973-74: PROVIDED, That up to  
 \$((400,000)) 146,000 of this appropriation  
 shall be made available for  
 establishment and support of a  
 Master of Social Work graduate  
 program during the 1973-75  
 biennium.....\$((20,992,445)) 20,999,511

General Fund Appropriation: For salary  
 and related fringe benefit increases  
 in addition to any other increases  
 authorized by chapter ((~~---~~SB 2854)) 137,  
 Laws of 1973 1st ex. sess. for faculty  
 and exempt personnel.....\$ 684,383"  
 Renumber the remaining sections consecutively.

Representatives Goltz, Van Dyk, Hansen and Hansey spoke in favor of the amendment, and Representatives Kopet and Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on the amendment to the committee amendment by Representative Goltz and others to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 36; nays, 57; not voting, 5.

Voting yea: Representatives Bender, Berentson, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Erickson, Flanagan, Gaines, Goltz, Hansen, Hansey, Haussler, Hendricks, Hoggins, Honan, Johnson, King, Knowles, Martinis, Matthews, Moon, Patterson, Perry, Pullen, Randall, Savage, Thompson, Tilly, Valle, Van Dyk, Williams.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Benitz, Blair, Bluechel, Brown, Ceccarelli, Cunningham, Curtis, Eikenberry, Eng, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Hawkins, Hayner, Hurley, Jastad, Juelling, Kalich, Kilbury, Kishimoto, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Polk, Schumaker, Shipoch, Smith, Sommers, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Kuehnle moved adoption of the following amendment to the committee amendment by Representatives Kuehnle and Leckenby:

On page 61, line 23 after "63,250" insert the following:

"NEW SECTION. Sec. 53. FOR THE TEACHERS' RETIREMENT SYSTEM

General Fund Appropriation.....\$ 36,000,000

NEW SECTION. Sec. 54. FOR THE LAW ENFORCEMENT AND FIREFIGHTERS' RETIREMENT SYSTEM

General Fund Appropriation.....\$ 54,700,000"

ReNUMBER the remaining sections consecutively.

Representatives Kuehnle and Leckenby spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on the amendment by Representatives Kuehnle and Leckenby to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 36; nays, 57; not voting, 5.

Voting yea: Representatives Amen, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Moon, Morrison, Nelson,

Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Bender, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Kuehnle moved adoption of the following amendment:  
On page 63, line 20 strike section 59 and renumber the remaining sections consecutively.

Representatives Kuehnle and Hendricks spoke in favor of the amendment, and Representatives Bagnariol and Goltz spoke against it.

#### ROLL CALL

The Clerk called the roll on the amendment by Representative Kuehnle to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 12; nays, 81; not voting, 5.

Voting yea: Representatives Barnes, Benitz, Berentson, Eikenberry, Flanagan, Gaines, Hansey, Hayner, Jastad, Juelling, Kuehnle, Schumaker.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hawkins, Hendricks, Hoggins, Honan, Hurley, Johnson, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

The Speaker resumed the Chair.

Mr. Leckenby moved adoption of the following amendment by Representatives Leckenby and Kuehnle to the committee amendment:

On page 64, line 11 after "ratified." insert the following:

"NEW SECTION. Sec. 63. General Fund agency reversion of funds appropriated for expenditure during the 1973-75 biennium, excluding federal funds, but not to exceed \$35

million, as determined by the office of program planning and fiscal management, shall be credited to the state treasurer for deposit in the law enforcement officers' and firefighters' retirement system fund."

Renumber the following sections consecutively.

Representatives Leckenby and Kuehnle spoke in favor of the amendment, and Representative Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on the amendment by Representatives Leckenby and Kuehnle to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 36; nays, 57; not voting, 5.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Jueling, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Honan, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Honan moved adoption of the following amendment to the committee amendment:

On page 61, line 23 after "system" insert ": PROVIDED FURTHER, That the study shall specifically inquire into the question of at what point the loss of profit from sales was lost as a result of increased taxes and prices exceeds the revenue increase resulting from such increase in taxation or price"

Mr. Honan spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

#### ROLL CALL

The Clerk called the roll on the amendment by Representative Honan to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 30; nays, 63; not voting, 5.

Voting yea: Representatives Barnes, Berentson, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hayner, Hendricks, Hoggins, Honan, Jueling,

Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hansey, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. King moved adoption of the following amendment to the committee amendment:

On page 64 following section 64 insert the following:

"NEW SECTION. Sec. 65. It is the intent of the legislature that no provision herein shall provide differently than what is authorized under existing law unless so stated in the proviso."

Renumber the remaining sections consecutively.

Mr. King spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

#### POINT OF INQUIRY

Mr. King yielded to question by Mr. Pardini.

Mr. Pardini: "It appears by the wording in this amendment, Mr. King, that you conceivably might be troubled with some proviso or something in this budget bill. Have you anything special that is concerning you?"

Mr. King: "Generally I am concerned that, when we find ourselves at 2 in the morning after working a long period of time and adopting some amendments and not adopting others, we may have picked up some language when we don't understand what impact it might have in terms of relationship to law. I know that on occasion people will take an amendment to the budget bill with a proviso in it and read it as if it were law. All I am saying here is that in a sense the intent of the legislature is that we mean what we say. If we are really serious about it being in conflict with something on the statute, sometimes with intent, or if we are serious about refining a definition or a meaning of the statute then we can refer to that statute. I am just generally concerned that we find ourselves in this kind of position."

Mr. Pardini spoke against the amendment to the committee amendment.

## ROLL CALL

The Clerk called the roll on the amendment by Mr. King to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 16; nays, 77; not voting, 5.

Voting yea: Representatives Bender, Charnley, Clemente, Conner, Ehlers, Gaines, Gallagher, Haussler, Hayner, King, Lysen, Matthews, Moon, Pullen, Savage, Williams.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hawkins, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Randall, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

Mr. Kopet moved adoption of the following amendment to the committee amendment:

On page 65, line 18 after "above." insert the following:

"NEW SECTION. Sec. 67. Appropriations contained in this 1974 amendatory act and in chapter 137, Laws of 1973 1st ex. sess. for agencies and offices within the office of the Governor may be combined for budget and accounting purposes to be expended for programs authorized or undertaken pursuant to chapter 43.63A RCW, RCW 43.06.110 and 120."

Renumber the following sections consecutively.

Mr. Kopet spoke in favor of the amendment, and Mr. Shinpoch spoke against it.

## ROLL CALL

The Clerk called the roll on the amendment by Representative Kopet to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 27; nays, 66; not voting, 5.

Voting yea: Representatives Barnes, Benitz, Bluechel, Brown, Conner, Cunningham, Curtis, Eikenberry, Freeman, Gilleland, Hansey, Hendricks, Hoggins, Honan, Kishimoto, Kopet, Kraabel, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Polk, Schumaker, Tilly.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Bender, Berentson, Blair, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher,



Garrett, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hayner, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Patterson, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnké, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

#### MOTION

Mr. Parker moved that the House now reconsider the vote by which the amendment by Representatives Goltz, Van Dyk, Hansey and Ellis to page 59 of the committee amendment failed to pass the House.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Parker that the House reconsider the vote by which the amendment to the committee amendment by Representative Goltz and others failed, and the motion carried by the following vote: Yeas, 61; nays, 32; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Berentson, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hoggens, Johnson, Kilbury, King, Kishimoto, Knowles, Laughlin, Luders, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, North F., Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Cunningham, Curtis, Freeman, Garrett, Hayner, Honan, Hurley, Jastad, Juelling, Kalich, Kopet, Kraabel, Kuehnle, Leckenby, Lysen, May, Newhouse, North L., O'Brien, Pardini, Schumaker, Tilly, Wilson, Winsley.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

#### RECONSIDERATION

The Speaker stated the question before the House to be reconsideration of the amendment by Representatives Goltz, Van Dyk, Hansen, Ellis and Hansey to page 59 of the committee amendment.

#### ROLL CALL

The Clerk called the roll on the reconsideration of the amendment by Representative Goltz and others to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was adopted by the following vote: Yeas, 69; nays, 24; not voting, 5.

Voting yea: Representatives Adams, Barnes, Bauer, Bausch, Bender, Berentson, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hoggins, Honan, Johnson, Kilbury, King, Kishimoto, Knowles, Laughlin, Luders, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, North F., O'Brien, Parker, Patterson, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Benitz, Blair, Bluechel, Brown, Curtis, Garrett, Hayner, Hurley, Jastad, Juelling, Kalich, Kopet, Kraabel, Kuehnle, Leckenby, Lysen, May, Newhouse, North L., Pardini, Polk, Schumaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

#### MOTION

Mr. Bluechel moved that the House now reconsider the vote by which the amendment by Representative Lysen to page 49 of the committee amendment failed to pass the House.

Mr. Bagnariol spoke against the motion.

#### ROLL CALL

The Clerk called the roll on the motion by Representative Bluechel that the House reconsider the vote by which the Lysen amendment to page 49 of the committee amendment failed, and the motion carried by the following vote: Yeas, 52; nays, 41; not voting, 5.

Voting yea: Representatives Amen, Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Haussler, Hawkins, Hayner, Hendricks, Honan, Jastad, Juelling, King, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Lysen, Matthews, Maxie, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Randall, Schumaker, Tilly, Williams, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Ceccarelli, Charette, Chatalas, Conner, Ellis, Fortson, Gallagher, Gaspard, Goltz, Hansen, Hoggins, Hurley, Johnson, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

#### RECONSIDERATION

The Speaker stated the question before the House to be reconsideration of the vote by which the amendment by Mr. Lysen to page 49 of the committee amendment failed to pass the House.

Mr. Lysen spoke in favor of the amendment, and Representatives Shinpoch and Van Dyk spoke against it.

#### ROLL CALL

The Clerk called the roll on the reconsideration of the amendment by Representative Lysen to the committee amendment to Engrossed Substitute Senate Bill No. 3253, and the amendment was not adopted by the following vote: Yeas, 44; nays, 49; not voting, 5.

Voting yea: Representatives Amen, Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Clemente, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hawkins, Hayner, Hendricks, Honan, Juelling, King, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Lysen, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Schunaker, Tilly, Williams, Wilson, Winsley.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Ceccarelli, Charette, Chatalas, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

The Speaker stated the question before the House to be the committee amendment as amended to Engrossed Substitute Senate Bill No. 3253.

#### POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mrs. Erickson.

Mrs. Erickson: "Representative Shinpoch, in the budget document on page 25, line 11, it shows a proviso with similar wording from the previous budget--the 1973 budget--however there is a difference. Is this a new request? If it is the same request, why didn't we get a recommendation?"

Mr. Shinpoch: "It is the same request and I think it was probably an honest mistake on the part of the Department of Social and Health Services. They did furnish to the Legislature the consultant's report, the Greenlee Report, on the soldier's home and the colony; however, in our judgment, we still do not know where the Department of Social and Health Services stands--what their recommendation is. We would like between now and the first of June for them to tell us what they want to do with those two institutions. The consultant gave us a number of alternatives, and we have, at this point, put in about \$2 million capital, and as I recall, around \$600,000 of general fund money, but from this point on we would like the department to tell us what they recommend."

## ROLL CALL

The Clerk called the roll on the committee amendment as amended to Engrossed Substitute Senate Bill No. 3253, and the committee amendment was adopted by the following vote: Yeas, 63; nays, 30; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Ceccarelli, Charette, Charnley, Chatalas, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, Knowles, Kopet, Laughlin, Luders, Martinis, Maxie, May, McCormick, Morrison, Newhouse, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Clemente, Gaines, Gilleland, Hansey, Hayner, Hendricks, Honan, Jueling, King, Kishimoto, Kraabel, Kuehnle, Leckenby, Lysen, Matthews, Moon, Nelson, North L., Pardini, Patterson, Polk, Schumaker, Williams.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

On motion of Mr. Bagnariol, the committee amendment to the title was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 3253 as amended by the House was placed on final passage.

## MOTION

On motion of Mr. Charette, further consideration of Engrossed Substitute Senate Bill No. 3253 as amended by the House, was deferred, and the bill was ordered placed on the third reading calendar for the next working day.

## MOTIONS

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

Mr. Smith, having voted on the prevailing side, moved that the House now reconsider the vote by which Engrossed House Bill No. 491 failed to pass the House.

Mr. Smith spoke in favor of the motion.

## MOTION

Mr. Curtis moved that the House dispense with further business under the Call of the House.

The motion was lost on a rising vote.

The Speaker stated the question before the House to be the motion by Mr. Smith that the House reconsider the vote by which Engrossed House Bill No. 491 failed to pass the House.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Smith that the House reconsider the vote by which Engrossed House Bill No. 491 failed to pass the House, and the motion carried by the following vote: Yeas, 58; nays, 35; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Honan, Juelling, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Wilson.

Not voting: Representatives Anderson, Julin, Paris, Rabel, Zimmerman.

## MOTIONS

On motion of Mr. Charette, further consideration of the reconsideration of Engrossed House Bill No. 491 was deferred until the next working day.

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

On motion of Mr. Charette, the House adjourned until 4:00 p.m., Sunday, April 21, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-EIGHTH DAY

AFTERNOON SESSION

House Chamber, Olympia, Wash., Sunday, April 21, 1974.

The House was called to order at 4:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Julin, Paris, Rabel and Zimmerman who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Charles Loyer of the Westminster Presbyterian Church of Olympia.

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

## MESSAGES FROM THE SENATE

April 20, 1974

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 94,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 20, 1974

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3153,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 20, 1974

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3028,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 20, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2981,

ENGROSSED SENATE BILL NO. 3246,

ENGROSSED SENATE BILL NO. 3274,

ENGROSSED SENATE BILL NO. 3307,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 20, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2906,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 20, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2940,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 20, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3277, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

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

The Speaker called the House to order.

Mr. Charette demanded a Call of the House, and the demand was sustained.

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Conner, Julin, Paris, Rabel and Zimmerman.

#### MOTION

On motion of Mr. Thompson, the absent members were excused, and the House proceeded with business under the Call of the House.

#### MOTION

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

#### THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 3253, as amended by the House, by Committee on Ways and Means (Originally sponsored by Senators Donohue and Odegaard):

Making appropriations for the operation of state government.

The bill was read the third time.

## MOTION

Mr. Williams moved that the House revert to the sixth order of business for the purpose of amendment.

Mr. Williams demanded an electric roll call on the motion, and the demand was sustained.

Mr. Charette spoke against the motion to revert to the sixth order of business.

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

The Speaker stated the question before the House to be the motion by Mr. Williams that the House revert to the sixth order of business.

Representatives Eikenberry and Curtis spoke in favor of the motion.

## PARLIAMENTARY INQUIRY

Mr. Hansey: "I detected a minute ago that I thought you were going to call for a division vote on this, and I wonder if there has been an electric roll call vote called for on this?"

The Speaker: "Yes, there was."

## ROLL CALL

The Speaker called the roll on the motion by Mr. Williams that the House revert to the sixth order of business, and the motion was lost by the following vote: Yeas, 46; nays, 47; not voting, 5.

Voting yea: Representatives Amen, Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Clemente, Cunningham, Curtis, Eikenberry, Eng, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Jueling, King, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Lysen, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Williams, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Ceccarelli, Charette, Chatalas, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Conner, Julin, Paris, Rabel, Zimmerman.

The Speaker stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 3253 as amended by the House.



Mr. Charette demanded an oral roll call, and the demand was sustained.

MOTION

Mr. Kuehnle moved that further consideration of the bill be deferred until tomorrow.

Mr. Kuehnle spoke in favor of the motion, and Mr. Bagnariol spoke against it.

Mr. Pardini demanded an electric roll call, and the demand was sustained.

Mr. Pardini spoke in favor of the motion, and Mr. Charette spoke against it.

Mr. Lysen spoke in favor of the motion.

POINT OF ORDER

Mr. Parker: "Mr. Speaker, if Mr. Lysen wants to have a press conference, he should have it outside the Chamber, but I think that if he wants to speak to the motion he should keep his arguments there."

RULING BY THE SPEAKER

The Speaker: "Representative Lysen, I think you did wander a little astray. We are talking about the merits of setting this over to the Monday calendar and I think we have allowed you to wander too far astray. Please confine your remarks to the motion before us."

Mr. Lysen concluded his remarks in favor of the motion.

Mr. O'Brien spoke against the motion.

POINT OF ORDER

Mr. Eikenberry: "Mr. Speaker, I would submit that Representative O'Brien's denouncement of the leadership of the minority caucus has nothing to do with the motion to defer this bill, and therefore it is out of order."

The Speaker: "Mr. O'Brien, I wasn't listening so you will have to repeat those remarks so I can find out if you were out of order."

Mr. O'Brien continued his remarks.

The Speaker: "Representative O'Brien, I did remind Representative Lysen that the subject matter is the transferring of the bill to the third reading calendar for tomorrow. Please confine your remarks to the motion."

Mr. O'Brien concluded his remarks in opposition to the motion.

Mr. Bagnariol spoke in opposition to the motion.

ADMONITION BY THE SPEAKER

The Speaker: "I think your remarks are erroneous, because we are talking about whether or not we should have the budget considered today or tomorrow. Will you all please confine your remarks to the motion. The motion is to defer consideration of Engrossed Substitute Senate Bill No. 3253 and place it on tomorrow's third reading calendar."

ROLL CALL

The Clerk called the roll on the motion by Mr. Kuehnle to defer consideration of Engrossed Substitute Senate Bill No. 3253, and the motion was lost by the following vote: Yeas, 44; nays, 49; not voting, 5.

Voting yea: Representatives Amen, Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Clemente, Cunningham, Curtis, Eikenberry, Eng, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Jueling, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Lysen, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Williams, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Ceccarelli, Charette, Chatalas, Douthwaite, Ehlers, Ellis, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Conner, Julin, Paris, Rabel, Zimmerman.

The Speaker stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 3253, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3253 as amended by the House:

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Ceccarelli, Charette, Charnley, Chatalas, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, Knowles, Laughlin, Luders, Martinis, Maxie, May, McCormick, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Clemente, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gaines,

Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, King, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Lysen, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Williams, Wilson.

Not voting: Representatives Conner, Julin, Paris, Rabel, Zimmerman.

The Speaker recognized Representatives Conner and Julin within the bar of the House.

#### POINT OF ORDER

Mr. Newhouse: "I would raise the question as to whether or not Mr. Conner and Mr. Julin would be able to vote, because they were not within the bar of the House when the last name on the roll call was announced."

#### SPEAKER'S RULING

The Speaker: "According to Rule 66, any member who is not within the bar of the House when the last name is called, is not entitled to vote unless by unanimous consent."

The Speaker recognized Mr. Charette.

#### POINT OF ORDER

Mr. Newhouse: "We are in the midst of a roll call and the roll call may not be interrupted."

The Speaker: "If the Speaker understands the present status, Representatives Conner and Julin are within the bar of the House. The Speaker has asked Representative Conner how he votes, and Representative Newhouse has objected to his voting due to Rule 66."

#### POINT OF ORDER

Mr. Pardini: "At this point I do not believe that Representative Newhouse has raised any objection, he is giving it some consideration."

The Speaker: "Representative Conner, how do you vote?"

#### PARLIAMENTARY INQUIRY

Mr. Julin: "I would like to know what the measure is that is before the body that we are about to vote on and what the present vote is? I do not believe that there has been a ruling as to whether or not either Representative Conner or I are eligible to vote. I would like the Speaker to announce the present vote."

The Speaker: "Representative Julin, the question before the House is Engrossed Substitute Senate Bill No. 3253 as amended by the House. This is the supplementary budget bill that was debated until 2:30 last night, and was

at that time advanced to third reading and final passage. After that time there was a motion made that we defer further action on this bill until today's third reading calendar. We are now on today's third reading calendar, and the matter is before you for final passage."

Mr. Julin: "Mr. Speaker, I am well aware, as we all are, that the body has been on this matter for some considerable time--something approaching 2 hours now, and I believe from that it would certainly infer that my vote or Representative Conner's vote might very well be crucial in deciding; so I would like to know the answer to the rest of my question, namely, what is the present vote on this matter?"

The Speaker: "The Speaker's understanding is that this is something that you could confer with Mr. Newhouse on. The vote has not been announced at this time and it is something that is being tabulated and could change rapidly from moment to moment; therefore, we would be happy to give you time to confer with your people as to what they think the exact status of the vote is.

"Representative Conner, how do you vote?"

Mr. Conner: "Yea."

Mr. Newhouse objected.

The Speaker: "Representative Newhouse, by your objection are you telling the Chair that you do not consent to Representative Conner voting?"

Mr. Newhouse: "Mr. Speaker, I am objecting to the vote of either Mr. Conner or Mr. Julin for this reason..."

The Speaker: "Representative Newhouse, you do not have to state a reason, all you have to do is object. It takes unanimous consent, and you being a member of the House of Representatives, your objection is taken to disallow either member from voting."

Mr. King changed his vote from "nay" to "aye."

The Speaker requested the Clerk to announce the results of the oral roll call.

The Clerk announced that Engrossed Substitute Senate Bill No. 3253 as amended by the House had passed the House by the following vote: Yeas, 50; nays, 43; not voting, 5.

Engrossed Substitute Senate Bill No. 3253 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Charette, Engrossed Substitute Senate Bill No. 3253 as amended by the House was ordered transmitted immediately to the Senate.

ENGROSSED HOUSE BILL NO. 491, by Representatives Johnson, Conner and Ellis:

Directing the highway commission to provide additional phone service in certain areas.

The bill was read the third time.

MOTION

Mr. Curtis moved that the House revert to the sixth order of business for the purpose of amendment.

Mr. Pardini demanded an electric roll call, and the demand was sustained.

Mr. Curtis spoke in favor of the motion.

ROLL CALL

The Clerk called the roll on the motion by Mr. Curtis that the House revert to the sixth order of business, and the motion was not carried by the following vote: Yeas, 38; nays, 57; not voting, 3.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, Mr. Speaker.

Not voting: Representatives Paris, Rabel, Zimmerman.

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 491.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 491, and the bill passed the House by the following vote: Yeas, 54; nays, 41; not voting, 3.

Voting yea: Representatives Adams, Anderson, Bauer, Bausch, Ceccarelli, Charette, Charnley, Chatalas, Conner,

Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Clemente, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Not voting: Representatives Paris, Rabel, Zimmerman.

Engrossed House Bill No. 491, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Charette, the House reverted to the sixth order of business.

On motion of Mr. Charette, HOUSE BILL NO. 1 and HOUSE BILL NO. 1301 were placed at the top of the second reading calendar for immediate consideration.

On motion of Mr. Charette, Representative Anderson was excused from further business under the Call of the House.

#### SECOND READING

HOUSE BILL NO. 1, by Representatives May, Kopet, Pardini, Smythe, Amen, Benitz, Blair, Brown, Charnley, Chatalas, Cunningham, Curtis, Eikenberry, Gallagher, Gilleland, Hendricks, Jastad, Julin, Kilbury, Knowles, Leckenby, Luders, Nelson, North (Lois), Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Shinpoch, Swayze, Tilly, Van Dyk, Wilson and Zimmerman:

Exempting prescription drugs from retail sales and use taxes.

The bill was read the second time.

Committee on Ways and Means - Revenue recommendation; Majority, do pass as amended. (For amendments, see Journal for thirty-seventh day, 3rd ex. sess., April 20, 1974.)

On motion of Mr. Randall, the committee amendments were adopted.

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

MOTION

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

MOTION

Mr. Curtis moved that the House dispense with further business under the Call of the House.

The motion was not carried.

MOTION

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

INTRODUCTION AND FIRST READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 2906, by Committee on Ecology (Originally sponsored by Senator Washington):

AN ACT Relating to noise abatement and control; adding a new chapter to Title 70 RCW; prescribing penalties; and declaring an emergency.

To Committee on Ecology.

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2940, by Committee on Natural Resources (Originally sponsored by Committee on Natural Resources):

AN ACT Relating to food fish and shellfish; conserving the salmon resources by limiting the number of commercial licenses and vessel delivery permits valid for salmon; adding new sections to chapter 75.28 RCW; providing for the expiration of the act; and making an appropriation.

To Committee on Natural Resources.

ENGROSSED SENATE BILL NO. 2981, by Senators Bottiger and Newschwander:

AN ACT Relating to special assessment deferral; amending section 35.50.050, chapter 7, Laws of 1965 as amended by section 5, chapter 137, Laws of 1972 ex. sess. and RCW 35.50.050; adding a new chapter to Title 36 RCW; and declaring an emergency.

To Committee on Local Government.

SENATE BILL NO. 3028, by Senator Walgren:

AN ACT Relating to public highways; amending section 47.44.010, chapter 13, Laws of 1961 as last amended by section 7, chapter 108, Laws of 1967 and RCW 47.44.040; and amending section 47.44.020, chapter 13, Laws of 1961 and RCW 47.44.020.

To Committee on Transportation and Utilities.

SENATE BILL NO. 3153, by Senators Dore and Clarke:

AN ACT Relating to cemeteries; and amending section 1, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.46.010.

To Committee on Financial Institutions.

ENGROSSED SENATE BILL NO. 3246, by Senators Day and Walgren:

AN ACT Relating to special fuel tax; and amending section 4, chapter 175, Laws of 1971 ex. sess. as last amended by section 1, chapter 156, Laws of 1973 1st ex. sess. and RCW 82.38.030.

To Committee on Transportation and Utilities.

ENGROSSED SENATE BILL NO. 3274, by Senator Bottiger:

AN ACT Relating to fire districts; and adding a new section to chapter 52.36 RCW.

To Committee on Local Government.

ENGROSSED SENATE BILL NO. 3307, by Senator Talley:

AN ACT Relating to industrial insurance; and adding a new section to chapter 23, Laws of 1961 and to chapter 51.12 RCW.

To Committee on Labor.

## MOTION

On motion of Mr. Thompson, all bills listed on the fourth order of business were referred to the committees designated.

## MOTIONS

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



On motion of Mr. Charette, the House adjourned until 10:00 a.m., Monday, April 22, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

THIRTY-NINTH DAY

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MORNING SESSION

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House Chamber, Olympia, Wash., Monday, April 22, 1974.

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Anderson, Charnley, Rabel and Zimmerman. Representative Zimmerman was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend Paul J. Beeman of the First United Methodist Church of Olympia.

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

MESSAGE FROM THE SENATE

April 21, 1974

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3277,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SUBSTITUTE SENATE BILL NO. 3277.

MESSAGE FROM THE SENATE

February 12, 1974

Mr. Speaker:

The Senate refuses to concur in the House amendments to SUBSTITUTE SENATE BILL NO. 3145, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Charette, the House insisted on its position with regard to Substitute Senate Bill No. 3145 and asked the Senate for a conference thereon.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Pardini, Gaspard and Ceccarelli as members of the Conference Committee on Substitute Senate Bill No. 3145.

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

## SENATE AMENDMENT TO HOUSE BILL

April 19, 1974

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1238 with the following amendment:

On page 2, line 22 strike "July" and insert "August" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Conner, the House concurred in the Senate amendment to House Bill No. 1238.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of House Bill No. 1238 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1238 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Kuehnle, Pullen, Rabel, Zimmerman.

House Bill No. 1238 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

April 19, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1208 with the following amendments:

On page 4, line 6 after "consisting of" strike "six" and insert "seven"

On page 4, line 16 after "as follows:" strike "Two" and insert "Three"

On page 4, line 17 after "of Washington" insert "of which one shall be a minority electrical contractor" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mrs. Wojahn, the House concurred in the Senate amendments to Engrossed House Bill No. 1208.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 1208 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1208 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Engrossed House Bill No. 1208 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

April 22, 1974

Mr. Speaker:

The Senate has granted the request of the House for a conference on SUBSTITUTE SENATE BILL NO. 3145, and the President has appointed as members of the Conference Committee thereon: Senators Dore, Clarke and Mardesich.

Sidney R. Snyder, Secretary.

## REPORTS OF STANDING COMMITTEES

April 21, 1974

SENATE BILL NO. 3169, Prime sponsor: Senator Walgren, defining crimes relating to telephone and telegraph services, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass. Signed by Representatives Knowles, Chairman; Gaspard, Hayner, Maxie, Newhouse, North (Lois), Sommers.

To Committee on Rules for second reading.

April 21, 1974

ENGROSSED SENATE BILL NO. 3382, Prime sponsor: Senator Sandison, making certain changes in the laws relating to discrimination, reported by Committee on Judiciary.

MAJORITY recommendation: Do pass with the following amendments:

On page 3, beginning on line 4 of the engrossed bill, strike all of subsection (c)

On page 3, beginning on line 8 of the engrossed bill, strike all of subsection (d)

On page 3, beginning on line 13 of the engrossed bill, strike all of subsection (e)

Signed by Representatives Knowles, Chairman; Smith, Vice Chairman; Gaspard, Hayner, Maxie, Newhouse, North (Lois), Sommers.

## MOTION

On motion of Mr. Charette, the rules were suspended, and Engrossed Senate Bill No. 3382 was placed on the second reading calendar for today.

## SECOND READING

HOUSE BILL NO. 1, by Representatives May, Kopet, Pardini, Smythe, Amen, Benitz, Blair, Brown, Charnley, Chatalas, Cunningham, Curtis, Ekenberry, Gallagher, Gilleland, Hendricks, Jastad, Julin, Kilbury, Knowles, Leckenby, Luders, Nelson, North (Lois), Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Shinpoch,

Swayze, Tilly, Van Dyk, Wilson and Zimmerman:

Exempting prescription drugs from retail sales and use taxes.

The House resumed consideration of House Bill No. 1 on second reading. (For previous action, see Journal for thirty-eighth day, 3rd ex. sess., April 21, 1974.)

The Speaker announced that the committee amendments had been adopted.

Mr. Lysen moved adoption of the following amendment by Representatives Lysen, Gaines, Clemente, Charnley, Bender, Williams and Eng:

On page 8, section 1, line 3 add a new subsection as follows:

"(29) Sales of food products for human consumption. 'Food products' include cereals and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products excluding candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products excluding candy and confectionery, milk and milk products, milkshakes, malted milks and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation, all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquor or frozen. 'Food products' do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts. The exemption of 'food products' provided for in this paragraph shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a 'takeout' or 'to go' order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks and monuments."

Mr. Tilly moved adoption of the following amendments by Representatives Tilly and Curtis to the Lysen amendment:

On page 1, line 8 after "products" strike "excluding" and insert "including"

On page 1, line 10 after "products" strike "excluding" and insert "including"

Representatives Tilly, Curtis, Charette and Blair spoke in favor of the amendments to the amendment, and Representatives Savage and Lysen spoke against them.

The amendments to the Lysen amendment to page 8 of House Bill No. 1 were adopted.

The Speaker stated the question before the House to be the amendment by Representative Lysen and others as amended.

Representatives Lysen, Cunningham and Kishimoto spoke in favor of the amendment, and Representatives Kopet, Haussler, Amen, May, Kalich and Planagan spoke against it.

Mr. Williams demanded an electric roll call and the demand was sustained.

Mr. Brown spoke in favor of the amendment, and Mr. Bagnariol spoke against it.

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

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Charnley, Rabel and Zimmerman.

#### MOTION

On motion of Mr. Charette, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker stated the question before the House to be the amendment as amended to House Bill No. 1 by Representative Lysen and others.

Mr. Moon spoke against adoption of the amendment.

#### POINT OF ORDER

Mr. Lysen: "I would like to know if Mr. Moon is speaking for or against the amendment?"

The Speaker: "That is not a point of order. He can explain that at any time during his speech. However, I do believe he is speaking against the amendment."

Mr. Moon continued his remarks in opposition to the amendment.

Representatives Patterson and Hurley spoke against the amendment.

## POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mrs. Hurley.

Mrs. Hurley: "I have the intent of introducing a resolution for a study that would perhaps bring a solution to the situation. What I would like to do is to have the Ways and Means Committee study a way that could remove the sales tax from all foods, and if it were necessary, to make a combination of other taxes so that it would not inflict such a burden on those who have such a difficult time paying this tax. I think that this would be well received by the members of our caucus who have made speeches saying that they thought the people, because of the high costs, should be relieved as much as we possibly can from the burden of the tax on food. I would like to ask the Chairman of Ways and Means Committee, Representative Bagnariol, if he would give a resolution of this type serious consideration with the hopeful result of coming up with a proper answer that will satisfy the needs of the people and the desires of this session?"

Mr. Bagnariol: "I would be very happy to support such a resolution. As I said in my earlier remarks, Representative Shinpoch and I are both dedicated to the ultimate removal of the sales tax from food and drugs. I am certainly hopeful that we will at least get it off the drugs today. We have both discussed this for some period of time and a resolution would perhaps give our position a little more impetus, so that we can go to work between now and January in our budget process and hopefully come back in January with a proposal to accomplish the removal of the sales tax from food and do it in such a manner that we will not damage other state programs."

Representatives Kopet, Charette, Chatalas, Bauer and Shinpoch spoke in opposition to the amendment.

Mr. Charette demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the amendment by Representative Lysen and others as amended to House Bill No. 1, and the amendment was not adopted by the following vote: Yeas, 27; nays, 68; not voting, 3.

Voting yea: Representatives Barnes, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Clemente, Cunningham, Eikenberry, Eng, Freeman, Gaines, Gilleland, Hansey, Hayner, Hoggins, Honan, Juelling, Kishimoto, Kuehnle, Lysen, Matthews, Nelson, North L., Schumaker, Williams.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Benitz, Charette, Chatalas, Conner, Curtis, Douthwaite, Ehlers, Ellis, Erickson, Flanagan, Fortson, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hendricks, Hurley, Jastad, Johnson, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Martinis, Maxie, May,



McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Charnley, Rabel, Zimmerman.

#### MOTIONS

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

On motion of Mr. Charette, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Anderson, Charnley, Rabel and Zimmerman. Representatives Rabel and Zimmerman were excused.

#### SECOND READING

#### HOUSE BILL NO. 1:

The House resumed consideration of House Bill No. 1.

Mr. Lysen moved adoption of the following amendment:

On page 1, beginning on line 8 strike all of sections 1, 2 and 3 and insert the following:

"Section 1. Section 82.08.020, chapter 15, Laws of 1961 as last amended by section 9, chapter 281, Laws of 1971 ex. sess. and RCW 82.08.020 are each amended to read as follows:

There is levied and there shall be collected a tax on each retail sale in this state equal to four and one-half percent of the selling price; PROVIDED, That the rate shall be three percent on each retail sale of food products for human consumption and prescription drugs as defined in section 3 of this 1974 amendatory act.

Sec. 2. Section 82.12.020, chapter 15, Laws of 1961 as last amended by section 10, chapter 281, Laws of 1971 ex. sess. and RCW 82.12.020 are each amended to read as follows:

There is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using within this state as a consumer any article of tangible personal property purchased at retail, or acquired by lease, gift, repossession, or bailment, or extracted or produced or manufactured by the person so

using the same. This tax will not apply with respect to the use of any article of tangible personal property purchased, extracted, produced or manufactured outside this state until the transportation of such article has finally ended or until such article has become commingled with the general mass of property in this state. This tax shall apply to the use of every article of tangible personal property, including property acquired at a casual or isolated sale, and including byproducts used by the manufacturer thereof, except as hereinafter provided, irrespective of whether the article or similar articles are manufactured or are available for purchase within this state. Except as provided in subdivision (2) of RCW 82.12.030, payment by one purchaser or user of tangible personal property of the tax imposed by chapter 82.08 or 82.12 shall not have the effect of exempting any other purchaser or user of the same property from the taxes imposed by such chapters. The tax shall be levied and collected in an amount equal to the value of the article used by the taxpayer multiplied by the rate of four and one-half percent: PROVIDED, That for the purpose of levying and collecting use tax in respect to food products for human consumption and prescription drugs as defined in section 4 of this 1974 amendatory act the rate shall be three percent.

NEW SECTION. Sec. 3. There is added to chapter 15, Laws of 1961 and to chapter 82.08 RCW a new section to read as follows:

For the purpose of this chapter 'food products for human consumption' and 'prescription drugs' shall be defined as follows:

(1) The term 'food products for human consumption' shall include cereal and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetable and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products excluding candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products excluding candy and confectionery, milk and milk products, milkshakes, malted milks and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation, all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

'Food products for human consumption' do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts. The exemption of 'food products for human consumption' provided for in this paragraph shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs or counters or from trays, glasses, dishes or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased

at the location, even though such products are sold on a 'takeout' or 'to go' order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks or monuments.

(2) The term 'prescription drugs' shall include any medicine, drug, prescription lens, or other substance (other than food) for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans or animals ordered by the written directions of a dentist, physician, veterinarian or other person duly authorized by law of this state or laws of another jurisdiction to issue such written order.

NEW SECTION. Sec. 4. There is added to chapter 15, Laws of 1961 and to chapter 82.12 RCW a new section to read as follows:

For the purpose of this chapter 'food products for human consumption' and 'prescription drugs' shall be defined as follows:

(1) The term 'food products for human consumption' shall include cereal and cereal products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetable and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products excluding candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products excluding candy and confectionery, milk and milk products, milkshakes, malted milks and any other similar type beverages which are composed at least in part of milk or a milk product and which require the use of milk or a milk product in their preparation, all fruit juices, vegetable juices, and other beverages except bottled water, spirituous, malt or vinous liquors or carbonated beverages, whether liquid or frozen.

'Food products for human consumption' do not include medicines and preparations in liquid, powdered, granular, tablet, capsule, lozenge, and pill form sold as dietary supplements or adjuncts. The exemption of 'food products for human consumption' provided for in this paragraph shall not apply: (a) When the food products are furnished, prepared, or served for consumption at tables, chairs or counters or from trays, glasses, dishes or other tableware whether provided by the retailer or by a person with whom the retailer contracts to furnish, prepare, or serve food products to others, or (b) when the food products are ordinarily sold for immediate consumption on or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location, even though such products are sold on a 'takeout' or 'to go' order and are actually packaged or wrapped and taken from the premises of the retailer, or (c) when the food products are sold for consumption within a place, the entrance to which is subject to an admission charge, except for national and state parks or monuments.

(2) The term 'prescription drugs' shall include any medicine, drug, prescription lens, or other substance (other than food) for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans or animals ordered by the written

directions of a dentist, physician, veterinarian or other person duly authorized by law of this state or laws of another jurisdiction to issue such written order.

NEW SECTION. Sec. 5. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1974."

On motion of Mr. Tilly, the following amendments by Representatives Tilly and Curtis to the Lysen amendment to House Bill No. 1 were adopted:

On page 1, section 3, line 12 after "products" and before "candy" strike "excluding" and insert "including"

On page 2, section 4, line 8 after "products" and before "candy" strike "excluding" and insert "including"

Mr. Lysen spoke in favor of his amendment as amended.

#### ADMONITION BY THE SPEAKER

The Speaker: "Representative Lysen, will you please tell me what motion you are speaking on? Your remarks have been far astray from the amendment, from the comments that I have heard. Will you please talk about the merits or the demerits of the amendment that you are proposing?"

Mr. Lysen continued his remarks in favor of the amendment.

#### POINT OF INQUIRY

Mr. Curtis yielded to question by Mr. Gallagher.

Mr. Gallagher: "If this amendment was adopted, how would a grocery store handle the different types of taxes in front of them when they are taxing food products at 3 1/2% and other materials--soaps and what have you--at 5%?"

Mr. Curtis: "I guess we would have to have a double unit pricing system. The capabilities of the modern cash register are such that you can separate the cart, the items that are food products that are tax exempt would be rung on a particular key of the register and would go into a tax-exempt category; those items that would still bear tax would be rung on another key and they would go into a taxable category. The subtotals would indicate to the checker so he could add the tax only to the part that is taxable. The problem is that there are cash registers that can't do this, and the difficulty as far as the merchant is concerned, would be converting to the cash register. It is an extremely costly process and you know that this act has an effective date of July 1. If it should pass in this form, the merchant will only have about 2 months to convert his registers. To the average small store that presents a very tough problem, because those large chain operations that purchase nationally will probably have first priority on any new machines or converting their old machines, if they have that capability. Most of the merchants in the

state will have to purchase new machines, because those that they have are not capable of adding this conversion factor. I would estimate, off the top of my head, that if they have a cash register that costs them new about \$2,000 to \$2,500 they would trade that one in on this new machine that would probably cost about \$3,000--it will be an additional expense of probably \$1,500 to \$2,000 per machine."

Mr. Gallagher: "In other words, that would put the small Mom and Pop grocers out of business?"

Mr. Curtis: "Yes."

Representatives Luders and Randall spoke against the amendment, and Representative Douthwaite spoke in favor of it.

Mr. Bagnariol spoke against adoption of the amendment.

#### ADMONITION BY THE SPEAKER

The Speaker: "Representative Bagnariol, we are talking about the merits of this particular amendment, rather than the qualifications of the members. Please confine your remarks."

Mr. Bagnariol continued his remarks in opposition to the amendment.

#### POINT OF INQUIRY

Mr. Bagnariol yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "Representative Bagnariol, if we embark this afternoon, as I am afraid that we are going to, on eliminating the inventory tax, what is the fiscal impact of that when it is phased out at either 5 or 10 years as is the plan?"

Mr. Bagnariol: "I'm not sure what the plan is--I don't think there is a plan. If the body decides to phase out the inventory tax on a 5-year basis, you are talking about an immediate impact for this coming year of six million dollars."

Mr. Douthwaite: "I mean when it is finished, when we are phased out."

Mr. Bagnariol: "It will cost six million dollars the first year. When you get to the end of the 5-year phaseout you are talking, in round figures, about \$41 million. If you do decide to phase out--and we are talking about the 5-year phaseout now--if you phase out on a 5-year basis, you are talking about 20% a year. If the body decides to go ahead on a 5-year phaseout and if the arguments that people have used that, in effect, phasing out the inventory tax will create new jobs, bring in additional revenue, etc., do not materialize, then, of course, this legislature next

year can either stop the phaseout or go back to where they were when they started. Your basic figures that you are talking about at this particular time, in round figures, is 6 million dollars, or 6.2 million dollars. If the phaseout stayed and continued over the 5-year period, you are talking about ultimately 41 million dollars. If you go to a 10-year phaseout, then you are talking about three million dollars for this year and at the end of the 10 years you are talking about a \$41 million figure--that is assuming that you use the inventory tax phaseout as a credit against the B & O tax. Then it is all picked up out of the general fund."

Representatives Kraabel and May spoke against the amendment, and Mr. Lysen spoke again in favor of it.

Mr. Williams demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the amendment by Representative Lysen as amended to House Bill No. 1, and the amendment was not adopted by the following vote: Yeas, 15; nays, 78; not voting, 5.

Voting yea: Representatives Barnes, Bender, Blair, Ceccarelli, Clemente, Douthwaite, Eng, Gaines, Kishimoto, Lysen, Maxie, Nelson, North L., Tilly, Williams.

Voting nay: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Benitz, Berentson, Bluechel, Brown, Charette, Chatalas, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schunaker, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Charley, Rabel, Shinpoch, Zimmerman.

On motion of Mr. Randall, the following amendment was adopted:

On page 13, line 22 strike section 3 and insert the following:

"NEW SECTION. Sec. 3. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1974."

House Bill No. 1 was ordered engrossed.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1 was placed on final passage.

Representatives May and Kopet spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representative Lysen.

Not voting: Representatives Anderson, Charnley, Gaines, Rabel, Williams, Zimmerman.

Engrossed House Bill No. 1, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### EXPLANATION OF VOTE

I wish to place on the record in the Journal of the House of Representatives my reasons for voting against the removal of the state sales tax from prescription drugs.

It is my conviction that this action was an exercise in hypocrisy in which a dry bone was tossed to the public to divert its attention from the fact that additional large tax exemptions were granted to such special interest groups as the timber and aircraft industries, agriculture and wholesale and retail business.

Realistically, the removal of the tax on prescription drugs will benefit only a minority of citizens, with major savings accruing to the state general fund, insurance companies and union and industrial health funds. The poor receive prescription drugs through public assistance, workers with job-connected illnesses or injuries through the State Department of Industrial Insurance, and the majority of other citizens through private or group health insurance programs.

I could not in good conscience vote in favor of a false tax relief measure designed to delude rather than to help the citizens whom I represent.

KING LYSEN, 31st District.

## STATEMENT FOR THE JOURNAL

Having been called off the floor during the final passage of Engrossed House Bill No. 1, I would like to indicate that my vote would have "Aye."

ALVIN C. WILLIAMS, 32nd District.

## STATEMENT FOR THE JOURNAL

I missed the roll call vote on Engrossed House Bill No. 1, "Tax on Drugs." I would like the record to show that I did want my vote to show a "yea" vote.

ROBERT E. GAINES, 30th District.

## MOTION

On motion of Mr. Charette, Engrossed House Bill No. 1 was ordered transmitted immediately to the Senate.

HOUSE BILL NO. 1301, by Representatives Parker, Bagnariol, Curtis, Randall, Freeman, Adams, Fortson, Hansen, Ceccarelli, Hendricks, Matthews, Pullen, Van Dyk, Beck and Gaines:

Phases out inventory taxes.

The bill was read the second time.

Mr. Randall moved adoption of the following amendment by Representatives Parker and Randall:

On page 1, beginning on line 5 strike everything after the enacting clause and insert the following:

"NEW SECTION. Section 1. This 1974 amendatory act is intended to stimulate the economy of the state, and thereby to increase the revenues of the state and its local taxing districts. The department of revenue shall review the impact of this 1974 amendatory act upon the economy and revenues of the state and its local taxing districts, and shall report thereon biennially to the legislature. Recommendations for additional legislation shall be included in such reports if such legislation is needed to assure that the economic stimulus provided by this 1974 amendatory act is balanced by increased revenues.

NEW SECTION. Sec. 2. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

For each of the calendar years 1975 through 1979, a percentage as set forth below, of any personal property taxes paid before delinquency by any taxpayer upon business inventories during the previous calendar year shall be allowed as a credit against the total of any taxes imposed on such taxpayer or its successor by chapter 82.04 RCW (business and occupation tax), as follows:

Inventory taxes paid in 1974....twenty percent  
 Inventory taxes paid in 1975....forty percent  
 Inventory taxes paid in 1976....sixty percent  
 Inventory taxes paid in 1977....eighty percent  
 Inventory taxes paid in 1978....one hundred percent



If the amount of such credit otherwise allowable for any calendar year (including any credit carried over from any prior year or years) exceeds the amount of business and occupation tax imposed on such taxpayer or its successor with respect to such year, then such excess shall be allowed as a credit against any business or occupation tax imposed on such taxpayer or its successor with respect to any of the next succeeding five years.

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

For the purposes of this chapter:

'Business inventories' means all livestock and means personal property acquired or produced solely for the purpose of sale, or for the purpose of consuming such property in producing for sale a new article of tangible personal property of which such property becomes an ingredient or component. It shall include inventories of finished goods and work in process.

'Successor' shall have the meaning given to it in RCW 82.04.180.

NEW SECTION. Sec. 4. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

(1) Each taxpayer requesting business and occupation tax credit under section 2 of this 1974 amendatory act shall verify, by completing and signing a form prepared and made available by the department of revenue, payment of business inventory taxes on which such credit is based.

(2) Any person signing a false claim with the intent to defraud or evade the payment of any tax shall be guilty of a gross misdemeanor.

NEW SECTION. Sec. 5. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

If the department of revenue finds that any taxpayer received any tax credit under section 2 of this 1974 amendatory act based on false or fraudulent information supplied by such taxpayer the amount of taxes avoided thereby shall be collected together with statutory interest thereon, and in addition a twenty-five percent penalty shall be due thereon for a period of not to exceed three years.

NEW SECTION. Sec. 6. There is added to chapter 15, Laws of 1961 and to chapter 84.36 RCW a new section to read as follows:

Effective on January 1, 1978, for taxes payable in 1979 and thereafter, all business inventories shall be exempt from property taxation.

'Business inventories' means all livestock and means personal property acquired or produced solely for the purpose of sale, or for the purpose of consuming such property in producing for sale a new article of tangible personal property of which such property becomes an ingredient or component. It shall include inventories of finished goods and work in process.

Sec. 7. Section 6, chapter 24, Laws of 1961 ex. sess. as last amended by section 1, chapter 74, Laws of 1973 1st

ex. sess. and RCW 84.40.340 are each amended to read as follows:

For the purpose of verifying any list, statement, or schedule required to be furnished to the assessor by any taxpayer, any assessor or his trained and qualified deputy at any reasonable time may visit, investigate and examine any personal property, and for this purpose the records, accounts and inventories also shall be subject to any such visitation, investigation and examination which shall aid in determining the amount and valuation of such property. Such powers and duties may be performed at any office of the taxpayer in this state, and the taxpayer shall furnish or make available all such information pertaining to property in this state to the assessor although the records may be maintained at any office outside this state. The assessor or his deputies shall audit at least three percent of the personal property accounts containing inventory values each year.

Any information or facts obtained pursuant to this section shall be used by the assessor only for the purpose of determining the assessed valuation of the taxpayer's property: PROVIDED, That such information or facts shall also be made available to the department of revenue upon request for the purpose of determining any sales or use tax liability with respect to personal property, and except in a court action pertaining to penalties imposed pursuant to RCW 84.40.130, to such sales or use taxes, or to the assessment or valuation for tax purposes of the property to which such information and facts relate, shall not be disclosed without the permission of the taxpayer to any person other than public officers or employees whose duties relate to valuation of property for tax purposes or to the imposition and collection of sales and use taxes, and any violation of this secrecy provision shall constitute a gross misdemeanor.

NEW SECTION. Sec. 8. There is hereby authorized to be paid to each taxing district within the state, in each of the years 1979 through 1983, from funds to be appropriated for the purpose, an amount equal to the average of the personal property taxes on business inventories, as defined in section 6 of this 1974 amendatory act, payable to each such taxing district for each of the calendar years 1974 through 1978. The department of revenue shall determine such amount, and shall report it to the legislature by February 1, 1979 so that the appropriation may be included in the operating budget for the state for the the biennium commencing July 1, 1979. In making such determination, the department shall make appropriate adjustments to reflect changes in taxing district boundaries and creation of new taxing districts."

Mr. Randall moved adoption of the following amendment to the Parker/Randall amendment:

On page 1, section 2, line 17 beginning with "For each" strike all the matter down to and including "percent" on line 27 and insert the following:

"For the calendar years subsequent to calendar year 1974, a percentage as set forth below, of any personal property taxes paid before delinquency by any taxpayer upon

business inventories during the previous calendar year shall be allowed as a credit against the total of any taxes imposed on such taxpayer or its successor by chapter 82.04 RCW (business and occupation tax), as follows:

Taxes paid in 1974.....ten percent  
 Taxes paid in 1975.....twenty percent  
 Taxes paid in 1976.....thirty percent  
 Taxes paid in 1977.....forty percent  
 Taxes paid in 1978.....fifty percent  
 Taxes paid in 1979.....sixty percent  
 Taxes paid in 1980.....seventy percent  
 Taxes paid in 1981.....eighty percent  
 Taxes paid in 1982.....ninety percent  
 Taxes paid in 1983.....one hundred percent  
 and each year thereafter."

Mr. Randall spoke in favor of the amendment to the amendment, and Mr. Parker spoke against it.

Mr. Eikenberry demanded an electric roll call, and the demand was sustained.

Representatives Sommers and Randall spoke in favor of the amendment to the amendment, and Representatives Leckenby, Cunningham and Parker spoke against it.

Mr. Charette demanded the previous question and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Randall to the Parker/Randall amendment to House Bill No. 1301, and the amendment failed to pass by the following vote: Yeas, 32; nays, 62; not voting, 4.

Voting yea: Representatives Bauer, Bender, Clemente, Douthwaite, Ehlers, Eng, Erickson, Flanagan, Goltz, Hawkins, Hoggins, Hurley, Johnson, King, Kishimoto, Knowles, Kraabel, Laughlin, Luders, Lysen, Maxie, Moon, North F., Perry, Randall, Savage, Smith, Sommers, Thompson, Valle, Van Dyk, Williams.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Curtis, Eikenberry, Ellis, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Jastad, Juelling, Julin, Kalich, Kilbury, Kopet, Kuehne, Leckenby, Martinis, Matthews, May, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Schumaker, Shinpoch, Tilly, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Charnley, Rabel, Zimmerman.

Mr. Hansen moved adoption of the following amendments by Representatives Hansen and Parker:

On page 2, section 3, line 11 after "means" strike "all livestock and means"

On page 3, section 6, line 9 after "means" strike "all livestock and means"

On page 4, after section 8, beginning on line 27 add a new section as follows:

"NEW SECTION. Sec. 9. There is added to chapter 15, Laws of 1961 and to chapter 84.36 RCW a new section to read as follows:

All agricultural or horticultural produce or crops, including all animals, birds, or insects, or the milk, egg, wool, fur, meat, honey, or such other substance therefrom shall be exempt from all ad valorem taxes according to the following schedule:

1974 assessments for 1975 taxes	20 percent
1975 assessments for 1976 taxes	40 percent
1976 assessments for 1977 taxes	60 percent
1977 assessments for 1978 taxes	80 percent
1978 assessments for 1979 taxes	100 percent

and thereafter."

On page 5, line 2 of the title amendment after "adding" and before "to chapter" strike "a new section" and insert "new sections"

Representatives Hansen and Parker spoke in favor of the amendments to the amendment, and Representative Hoggins spoke against them.

Mr. Hansen spoke again in favor of the amendments.

The amendments by Representatives Hansen and Parker to the Parker/Randall amendment were adopted on a rising vote.

Mr. Smith moved adoption of the following amendment by Representatives Smith, Bender and Goltz to the Parker/Randall amendment:

On page 1 of the floor amendment to House Bill No. 1301 after section 1, beginning on line 15 strike all of sections 2 and 3 and insert new sections as follows:

"NEW SECTION. Sec. 2. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

Fifty percent of any property taxes incurred and paid by a taxpayer in 1975 and each year thereafter on business inventories not to exceed one hundred thousand dollars in assessed valuation shall be allowed as a credit against any tax liability incurred under state business and occupation taxes imposed pursuant to chapter 82.04 RCW during 1975 and each year thereafter.

NEW SECTION. Sec. 3. There is added to chapter 15, Laws of 1961 and to chapter 84.40 RCW a new section to read as follows:

For purposes of this 1974 amendatory act, 'business inventories' means all county-assessed personal property, including livestock, acquired solely for the purpose of sale, or for the purpose of consuming such property in producing for sale a new article of tangible personal property of which such property becomes an ingredient or component."

Representative Smith spoke in favor of the amendment, and Representatives Parker and Kuehnle spoke against it.

POINT OF INQUIRY

Mr. Parker yielded to question by Mrs. Wojahn.

Mrs. Wojahn: "Representative Parker, we are talking about reducing the amount of money that the state would take in as far as income if we do reduce the inventory tax. This amendment would reduce it less than the first amendment that we voted on, but I need to know how much money are we going to lose as a result of the last amendment that we voted on?"

Mr. Parker: "The total impact of that for the first year, the first 20%, is \$340,000. The total one hundred percent exemption would be \$1.7 million. If I might respond to your original statement--I don't really know whether or not this amendment would cost less. I really haven't seen data on it. That is the question that I was speaking to, I wish we could have had time to prepare a fiscal impact on it to find out exactly how much it was going to cost. I assume that it is going to cost--in fact the figures that we heard from some people was that it would cost more. Therefore I have to oppose it. One thing that I would state, in the amendment--the original amendment as it came out of the committee--it provided for a continual study of this question during the phaseout period and if, in fact, we can find in the next year that this is a more acceptable means, then I would certainly entertain looking at it. I think we ought to make the first step and get started."

Mrs. Wojahn spoke in favor of the amendment.

Mr. Savage demanded an electric roll call, and the demand was sustained.

Representatives Curtis and Martinis spoke against the amendment to the amendment, and Mr. Moon spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representatives Smith, Bender and Goltz to the Parker/Randall amendment to House Bill No. 1301, and the amendment failed to pass the House by the following vote: Yeas, 28; nays, 66; not voting, 4.

Voting yea: Representatives Bauer, Bender, Clemente, Douthwaite, Ehlers, Eng, Erickson, Goltz, Haussler, Hawkins, Jastad, Johnson, King, Knowles, Luders, Lysen, Moon, North F., Perry, Randall, Savage, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Curtis, Eikenberry, Ellis, Flanagan, Fortson, Freeman, Gaines,

Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jueling, Julih, Kalich, Kilbury, Kishimoto, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Schumaker, Shinpoch, Tilly, Warnke, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Anderson, Charnley, Rabel, Zimmerman.

Mr. Hoggins moved adoption of the following amendment to the Parker/Randall amendment:

On page 4, line 27 insert a new section as follows:

"NEW SECTION. Sec. 9. Section 7, chapter 173, Laws of 1965 1st ex. sess. and 82.04.330 RCW are each repealed as of January 1, 1975."

Mr. Hoggins spoke in favor of the amendment.

#### POINT OF ORDER

Mr. Newhouse: "Mr. Speaker, I note that the title of House Bill No. 1301 is 'An act relating to property taxes on business inventories.' I suggest that the amendment is beyond the topic of the title."

#### SPEAKER'S RULING

The Speaker: "The Speaker finds that the amendment that is presently before us by Representatives Parker and Randall does go into RCW 82.04 and would necessitate a title amendment to expand it into this area. Secondly, we did open the area of B & O when we went into this area. We have interwoven the two to such an extent that even though this could be classified as a possible extension of the B & O tax that it is all so closely related that it would have to be declared as within the scope."

Mr. Hoggins continued his remarks in favor of the amendment to the amendment.

#### POINT OF INQUIRY

Mr. Newhouse asked Mr. Hoggins to yield to question.

Mr. Hoggins refused to yield.

Mr. Newhouse spoke against adoption of the amendment to the amendment.

Mr. Blair demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the Hoggins amendment to the Parker/Randall amendment, and the amendment was not adopted by the following vote: Yeas, 29; nays, 63; not voting, 6.

Voting yea: Representatives Bagnariol, Bausch, Blair, Bluechel, Brown, Cunningham, Douthwaite, Eng, Gaspard, Hawkins, Hoggins, Hurley, Juelling, Julin, King, May, Nelson, North F., North L., Perry, Polk, Shinpoch, Smith, Sommers, Thompson, Valle, Warnke, Williams, Wojahn.

Voting nay: Representatives Adams, Amen, Barnes, Bauer, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Conner, Curtis, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Jastad, Johnson, Kalich, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Morrison, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Pullen, Randall, Savage, Schumaker, Tilly, Van Dyk, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Anderson, Charnley, Clemente, Moon, Rabel, Zimmerman.

The Speaker stated the question before the House to be the Parker/Randall amendment as amended to House Bill No. 1301.

#### MOTION

Mr. Williams moved that the House reconsider the vote by which the amendment by Representatives Hansen and Parker to the Parker/Randall amendment passed the House.

Mrs. Wojahn demanded an electric roll call, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the motion to reconsider the vote by which the Hansen/Parker amendment to the Parker/Randall amendment to House Bill No. 1301 passed, and the motion failed to carry by the following vote: Yeas, 46; nays, 46; not voting, 6.

Voting yea: Representatives Bagnariol, Barnes, Bausch, Bender, Blair, Bluechel, Brown, Charette, Cunningham, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Gaspard, Goltz, Hawkins, Hoggins, Hurley, Jastad, Johnson, Julin, Kalich, King, Kraabel, Kuehnle, Maxie, May, Moon, Nelson, North F., North L., Pardini, Paris, Perry, Polk, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Warnke, Williams, Wojahn.

Voting nay: Representatives Adams, Amen, Bauer, Benitz, Berentson, Ceccarelli, Chatalas, Conner, Curtis, Ellis, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Juelling, Kilbury, Kishimoto, Knowles, Kopet, Laughlin, Leckenby, Luders, Martinis, Matthews, McCormick, Morrison, Newhouse, O'Brien, Parker, Patterson, Pullen, Schumaker, Tilly, Van Dyk, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Anderson, Charnley, Clemente, Lysen, Rabel, Zimmerman.

On motion of Mr. Parker, the following amendment to the title amendment was adopted:

On page 5, line 2 of the title amendment after "adding" and before "to chapter" strike "a new section" and insert "new sections"

On motion of Mr. Parker the following amendment to the title as amended was adopted:

On page 1, line 1 of the title after "Relating to" strike the remainder of the title and insert "revenue and taxation; amending section 6, chapter 24, Laws of 1961 ex. sess. as last amended by section 1, chapter 74, Laws of 1973 1st ex. sess. and RCW 84.40.340; adding new sections to chapter 15, Laws of 1961 and to chapter 82.04 RCW; and adding a new section to chapter 15, Laws of 1961 and to chapter 84.36 RCW; creating new sections."

House Bill No. 1301 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1301 was placed on final passage.

Representatives Parker, Randall, Kraabel, Morrison and Charette spoke in favor of the bill, and Representatives Moon and Smith spoke in opposition to it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1301, and the bill passed the House by the following vote: Yeas, 70; nays, 21; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Curtis, Eikenberry, Ellis, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, Kishimoto, Kopet, Kraabel, Kuehne, Laughlin, Martinis, Matthews, McCormick, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Randall, Schumaker, Shinpoch, Tilly, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bauer, Douthwaite, Ehlers, Eng, Erickson, Hawkins, Hurley, King, Knowles, Luders, Lysen, Maxie, May, Moon, North F., Perry, Savage, Smith, Thompson, Valle, Williams.

Not voting: Representatives Anderson, Charnley, Clemente, Leckenby, Rabel, Sommers, Zimmerman.

Engrossed House Bill No. 1301, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



## MOTION

On motion of Mr. Charette, Engrossed House Bill No. 1301 was ordered transmitted immediately to the Senate.

## STATEMENT FOR THE JOURNAL

Please record me as voting "yea" on final passage of Engrossed House Bill No. 1301. I was off the floor when the vote was taken.

BILL LECKENBY, 34th District.

The Speaker called on Mr. O'Brien to preside.

SECOND SUBSTITUTE HOUSE BILL NO. 1043, by Committee on Ways and Means (Originally sponsored by Representative Kilbury):

Providing for an animal diagnostic laboratory.

The bill was read the second time.

Mr. Kilbury moved adoption of the following amendment by Representatives Kilbury, Benitz, Laughlin, Hansen, Hansey, Van Dyk, Amen, Haussler, Tilly, Wojahn, Honan and Pardini:

On page 1, line 16 after "animals" insert ", except those imported for immediate slaughter,"

Representatives Kilbury and Benitz spoke in favor of the amendment, and Mr. Moon spoke against it.

The amendment was adopted on a rising vote.

Mr. Kilbury moved adoption of the following amendment by Representatives Kilbury, Benitz, Laughlin, Hansen, Hansey, Van Dyk, Haussler, Amen and Tilly:

On page 2, line 2 after "six" strike "and one-half"

Representatives Kilbury and Benitz spoke in favor of the amendment.

The amendment was adopted.

Mr. Shinpoch moved adoption of the following amendment by Representatives Shinpoch and Kopet:

On page 4, section 6, line 27 strike section 6 and renumber the remaining sections consecutively.

Representatives Shinpoch and Kopet spoke in favor of the amendment, and Mr. Benitz spoke against it.

## POINT OF INQUIRY

Mr. Shinpoch yielded to question by Mr. Randall.

Mr. Randall: "I am concerned about the funding. By eliminating section 6 we eliminate the dedicated funds

inside the general fund which you object to. By eliminating section 6 we do not eliminate the funding source, which is the sore point for so many of us, and which we accept only on the basis of the fact that we are going to cut off that funding source as a multi-purpose revenue source for this sort of thing. Your amendment accomplishes the fact that the funding sources still remain under these circumstances but instead of going into an identifiable fund for diagnostic laboratories, they are going to the general fund from which we would be somewhat morally bound to appropriate back out again a like amount-- is that correct?"

Mr. Shinpoch: "The intent is correct, I have not gone through the bill--there may be other corrections needed to do that entirely, but yes, the intent of that is correct."

Representatives Randall, Flanagan and Van Dyk spoke against the amendment.

#### POINT OF INQUIRY

Mr. Kilbury yielded to question by Mr. Shinpoch.

Mr. Shinpoch: "Representative Kilbury, I really have two questions. The first one, could you tell me what the funds from the parimutuels are used for?"

Mr. Kilbury: "Yes, the parimutuel funds, at the present time, are general fund moneys--agricultural fair and agricultural trade fair funds."

Mr. Shinpoch: "From the amount of funds that will be raised here what percent of it comes from the parimutuel funds?"

Mr. Kilbury: "Roughly, a little better than 50%."

Mr. Shinpoch spoke in favor of the amendment, and Mr. Randall spoke against it.

Mr. Pardini demanded the previous question, and the demand was sustained.

The amendment was not adopted on a rising vote.

Second Substitute House Bill No. 1043 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute House Bill No. 1043 was placed on final passage.

Representatives Kilbury, Randall and Van Dyk spoke in favor of the bill, and Mr. Shinpoch spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1043, and the bill passed the House by the following vote: Yeas, 75; nays, 18; not voting, 5.

Voting yea: Representatives Adams, Amen, Barnes, Bauer, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Clemente, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, McCormick, Moon, Morrison, Nelson, Newhouse, North F., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Randall, Savage, Schumaker, Sommers, Tilly, Valle, Van Dyk, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bagnariol, Bausch, Blair, Blueghel, Charnley, Chatalas, Douthwaite, Gaspard, Hawkins, Kraabel, May, North L., Perry, Shipoch, Smith, Thompson, Warnke, Williams.

Not voting: Representatives Anderson, Hoggins, Maxie, Rabel, Zimmerman.

Engrossed Second Substitute House Bill No. 1043, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

On motion of Mr. Charette, Engrossed Second Substitute House Bill No. 1043 was ordered transmitted immediately to the Senate.

HOUSE BILL NO. 1288, by Representative Randall:

Providing for revenue and taxation.

The bill was read the second time.

On motion of Mr. Randall, Substitute House Bill No. 1288 was substituted for House Bill No. 1288, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1288 was read the second time.

Mr. Randall moved adoption of the following amendments:  
 On page 1, section 1, line 16 after "rate of" strike "eight" and insert "((eight)) ten"  
 On page 1, section 1, line 26 strike "((ten)) eight" and insert "ten"

On page 2, section 1, line 8 strike "((ten)) eight" and insert "ten"

Mr. Randall spoke in favor of the amendments, and Representatives Bluechel and Leckenby spoke against them.

The amendments were adopted.

Mr. Randall moved adoption of the following amendment:  
On page 2, line 19 add new sections as follows:

"NEW SECTION. Sec. 2. (1) If, prior to May 31 in any calendar year, any real or personal property placed upon the assessment and tax rolls as of January 1 of that year is destroyed in whole or in part by fire or by act of God, the true cash value of such property shall be reduced for that year by an amount determined as follows:

(a) First take the true cash value of such taxable property and deduct therefrom the true cash value of the remaining property.

(b) Then divide any amount remaining by twelve and multiply the quotient by the number of months or major fraction thereof remaining in the calendar year after the date of the destruction of the property.

(2) The amount of taxes to be abated or refunded under section 3 of this 1974 amendatory act shall be determined by multiplying the amount of net loss determined under subsection (1) of this section by the rate percent of levy applicable to the property in the tax year to which the reduction of assessed value is applicable.

NEW SECTION. Sec. 3. Within seventy-five days after the date of destruction, or seventy-five days after the effective date of this 1974 act, whichever is later, the taxpayer, using a form prepared by the department of revenue and provided by the assessor, shall notify the county assessor of his intention to claim the relief provided by sections 2 through 5 of this 1974 amendatory act. The taxpayer shall also file a copy with the legislative body of the county, which shall serve as a petition for abatement of the tax, if unpaid, or for refund of the tax, if paid, or part thereof, but without provision for interest: PROVIDED, That any refund under this section shall be construed to be the return of an over payment made by the taxpayer. The form shall contain such information as the department may prescribe. After receipt of the taxpayer's claim, and within thirty days after the ninetieth day provided in section 2 of this 1974 amendatory act, the county assessor shall provide the legislative body of the county with his determination of the facts necessary to calculate the amount of relief, if any, to which he believes the taxpayer is entitled. A copy of the assessor's determination shall be sent to the taxpayer.

NEW SECTION. Sec. 4. If the taxpayer disagrees with the determination made by the county assessor, he shall advise the county legislative body of his own determination, and request a hearing. Thereafter, the county legislative body shall make a determination of the amount of relief, if any, to which the taxpayer is entitled. The determination of the county legislative body shall be final and not appealable. The legislative body may order the tax against the property, if unpaid, to be abated in whole or in part, and if paid by the taxpayer, to be refunded in whole or in part by payment from the general

fund of the county, in accordance with the legislative body's determination. If an abatement is ordered the assessor and tax collector shall make the necessary adjustments to the assessment and tax rolls, and the necessary entries required by the order in the records of their respective offices. If any refund is made, the county's general fund shall be reimbursed from the several taxing districts affected from the next taxes due for distribution to such districts. If the legislative body does not order an abatement or refund to a claimant under this section, it shall reduce the assessed valuation of the property as listed on the assessment rolls to the true and fair valuation thereof subsequent to its whole or partial destruction by fire or act of God.

NEW SECTION. Sec. 5. No relief under sections 2 through 5 of this 1974 amendatory act shall be given to any person who is convicted of arson with regard to the property for which relief is sought.

Sec. 6. Section 36.21.080, chapter 4, Laws of 1963 and RCW 36.21.080 are each amended to read as follows:

(1) The county assessor is authorized to place any property under the provisions of RCW 36.21.040 through 36.21.080 on the assessment rolls for the purposes of tax levy up to May 31st of each year. The assessed valuation of property under the provisions of RCW 36.21.040 through 36.21.080 shall be considered as of the April 30th immediately preceding the date that the property is placed on the assessment rolls.

(2) If, prior to May 31 in any calendar year, any real or personal property placed upon the assessment and tax rolls as of January 1 of that year is destroyed in whole or in part by fire or by act of God, the true cash value of such property shall be reduced for that year by an amount determined as follows:

(a) First take the true cash value of such taxable property and deduct therefrom the true cash value of the remaining property.

(b) Then divide any amount remaining by twelve and multiply the quotient by the number of months or major fraction thereof remaining after the date of the destruction of the property.

NEW SECTION. Sec. 7. Sections 2 through 5 of this 1974 amendatory act are each added to Title 84 RCW.

NEW SECTION. Sec. 8. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 9. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

Mr. Randall spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Julin.

Mr. Julin: "Is the authority to give this tax refund discretionary with the local tax officials or is it mandatory? The only thing that is open is the amount."

Mr. Randall: "Let me answer that by saying that the way the bill is written it is discretionary. The reason that it was written in that manner is the philosophy of whether we are paying this year's taxes based on the best decimal you could get, being last year's value, or whether this is actually last year's taxes that have been deferred. What it says is that the legislative body may order the taxes against the property, if unpaid, to be abated in whole or in part and it is paid by the taxpayer to be refunded in whole or in part. Then it says if abatement is ordered the assessor and the tax collector shall make the necessary adjustments to the assessment and tax rolls, and the necessary entries required by the order in the records of their respective offices. If a legislative body does not order an abatement or a refund it shall reduce the assessed valuation of the property as listed on the assessment rolls to the true and fair valuation of its whole or partial destruction by fire or act of God. This does give discretionary basis. We thought the local legislative authority is the best place to put this kind of discretion. They know more accurately than anyone else if it's hardship or what the problem is."

Mr. Julin: "You will recall that this morning in our Ways and Means - Revenue Committee we passed out a measure that would repeal the timber tax and get it back on the ad valorem system. My question to you is that if this measure goes on the books and there is a forest fire on private property will that mean that the assessed valuation for timber tax purposes will be reduced by the amount of the value of the timber destroyed?"

Mr. Randall: "That timber has been placed on the rolls in the area of personal property, and if it is destroyed by fire, that's exactly right."

## POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Knowles.

Mr. Knowles: "I heard some remarks here about rivers being under water. Would this protect the individuals from flood damage?"

Mr. Randall: "In the question that I asked the Department of Revenue, supposing a farmer's land is flooded out and is inoperative to produce crops this next year, the assessor now can go out and reassess that property based on its flooded or destroyed value to produce crops. If that particular flooded farm is in a river valley where you get intermittent flooding and drying every few years, the

agricultural value of that land will be set at that level because of the flooding. In this case there would be no difference because the value would be down in the first case, recognizing that it floods occasionally. If it is an unusual process--it hasn't happened in 20 years, the value of the farmland is assessed high, at the highest point, and now it can't produce--yes, the assessor can come out and reassess that land taking into account its destroyed value."

Mr. Knowles: "Assuming there is not total destruction, only partial destruction of the property, would there be some kind of consideration taken in that event?"

Mr. Randall: "Yes, the bill says 'in whole or in part.' It also gives the taxpayer the chance to disagree as with any other tax law."

The amendment was adopted.

Mr. Jueling moved adoption of the following amendment by Representatives Jueling, Planagan and Haussler to Substitute House Bill No. 1288:

On page 2, following section 1 add a new section as follows:

"NEW SECTION. Sec. 2. Section 74, chapter 299, Laws of 1971 ex. sess. and RCW 84.40.342 are each repealed."

Representatives Jueling and Haussler spoke in favor of the amendment, and Mr. Ehlers spoke against it.

#### MOTION

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

#### MESSAGES FROM THE SENATE

April 22, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3042,  
and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 22, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 2562,  
SENATE BILL NO. 3121,  
and the same are herewith transmitted.

Bill Gleason, Assistant Secretary.

April 22, 1974

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3194,  
SENATE BILL NO. 3381,  
and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 22, 1974

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 3200,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 22, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3062,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 22, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3283,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 22, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to SUBSTITUTE SENATE BILL NO. 3256, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 22, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3143 and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 22, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SENATE BILL NO. 3358, and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.

April 22, 1974

Mr. Speaker:

The Senate has concurred in the House amendment to ENGROSSED SENATE BILL NO. 3202 and has passed the bill as amended by the House.

Bill Gleason, Assistant Secretary.



INTRODUCTION AND FIRST READING

HOUSE CONCURRENT RESOLUTION NO. 65, by Representative Thompson:

Allowing the introduction of a concurrent resolution regarding special levy relief.

MOTION

On motion of Mr. Charette, the rules were suspended, and House Concurrent Resolution No. 65 was placed on today's second reading calendar.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2562, by Committee on Transportation and Utilities (Originally sponsored by Senator Walgren):

AN ACT Relating to transportation facilities; making appropriations to the Washington toll bridge authority; making an appropriation to the Washington state highway commission; and declaring an emergency.

MOTION

On motion of Mr. Charette, the rules were suspended, and Engrossed Substitute Senate Bill No. 2562 was placed on today's second reading calendar.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3042, by Committee on Labor (Originally sponsored by Senators Grant, Connor, Dore, Mardesich and Ridder):

AN ACT Relating to labor relations; enacting a state labor-management relations act; amending section 15, chapter 234, Laws of 1959 as last amended by section 17, chapter 57, Laws of 1971 ex. sess. and RCW 34.04.150; adding a new chapter to Title 49 RCW; and making an appropriation.

To Committee on Labor.

ENGROSSED SENATE BILL NO. 3062, by Senators Lewis (Harry) and Sandison:

AN ACT Relating to the institutions of higher education; providing for the acquisition, construction, remodeling, furnishing and equipping of state buildings and facilities for said institutions of higher education; providing for the financing thereof by the issuance of bonds; adding new sections to Title 28B RCW; and declaring an emergency.

MOTION

On motion of Mr. Charette, the rules were suspended, and Engrossed Senate Bill No. 3062 was placed on today's second reading calendar.

SENATE BILL NO. 3121, by Senators Francis and Van Hollebeke:

AN ACT Relating to municipal courts; and adding a new section to chapter 35.20.

MOTION

On motion of Mr. Charette, the rules were suspended, and Senate Bill No. 3121 was placed on today's second reading calendar.

SUBSTITUTE SENATE BILL NO. 3194, by Committee on Ways and Means (Originally sponsored by Senators Durkan, Bailey and T.G. Peterson):

AN ACT Relating to firemen and police pension benefits; amending section 38, chapter 209, Laws of 1969 ex. sess. as amended by section 3, chapter 37, Laws of 1970 ex. sess. and RCW 41.16.145; amending section 33, chapter 209, Laws of 1969 ex. sess. as amended by section 1, chapter 37, Laws of 1970 ex. sess. and RCW 41.18.104; amending section 34, chapter 209, Laws of 1969 ex. sess. as amended by section 2, chapter 37, Laws of 1970 ex. sess. and RCW 41.26.250; amending section 35, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.260; and declaring an emergency.

MOTION

On motion of Mr. Charette, the rules were suspended, and Substitute Senate Bill No. 3194 was placed on today's second reading calendar.

SUBSTITUTE SENATE BILL NO. 3200, by Committee on Education (Originally sponsored by Senator von Reichbauer):

AN ACT Relating to certain school district programs; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and declaring an emergency.

MOTION

On motion of Mr. Charette, the rules were suspended, and Substitute Senate Bill No. 3200 was placed on today's second reading calendar.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3283, by Committee on Ways and Means (Originally sponsored by Senators Durkan, Odegaard, Donohue, Bailey, Bottiger, Connor, Day, Dore, Fleming, Francis, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Peterson (Lowell), Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, von Reichbauer, Walgren, Washington and Woody):

AN ACT Relating to the support of elderly, poor, and infirm persons; authorizing property tax exemptions; adding new sections to chapter 84.36 RCW; repealing section 4,

chapter 288, Laws of 1971 ex. sess., section 1, chapter 126, Laws of 1972 ex. sess., section 1, chapter 98, Laws of 1973 1st ex. sess. and RCW 84.36.370; repealing section 5, chapter 288, Laws of 1971 ex. sess., section 3, chapter 126, Laws of 1972 ex. sess. and RCW 84.36.380; and declaring an emergency.

To Committee on Ways and Means.

SENATE BILL NO. 3381, by Committee on Local Government (Endorsed by Senators Whetzel, Fleming, Murray, Sellar, Jolly, Ridder, Beck, Lewis [Bob] and Talley):

AN ACT Relating to water reservoirs; adding a new section to chapter 8, Laws of 1965 and to chapter 43.20 RCW; and declaring an emergency.

To Committee on Local Government.

#### MOTIONS

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

On motion of Mr. Charette, the House recessed until 7:30 p.m.

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#### EVENING SESSION

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The House was called to order at 7:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Anderson, Bagnariol, Rabel, Tilly and Zimmerman. Representatives Rabel and Zimmerman were excused.

The Speaker (Mr. O'Brien presiding) stated that in accordance with House Rule No. 83 the members of the Labor Committee were excused.

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

The Speaker called the House to order.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1288, by Committee on Ways and Means - Revenue:

The House resumed consideration of Substitute House Bill No. 1288 on second reading.

The Speaker stated the question before the House to be the amendment by Representatives Juelling, Flanagan and Haussler adding a new section 2.

Mr. Randall spoke in opposition to the amendment, and Mr. Flanagan spoke in favor of it.

Mr. Berentson demanded an electric roll call, and the demand was sustained.

#### POINT OF ORDER

Mr. Hansey: "I have been trying to sit in as an observer in a committee meeting that is taking place at this time. Rule 83 states that we shall not have committee meetings while the House is in session, and I fail to see how both the committee meeting members can be provided an opportunity to vote on this committee while we are in session. I think we are in violation of that rule."

#### RULING BY THE SPEAKER

The Speaker: "I think, Representative Hansey, if you would read the entire section you would also find that this is true except without special leave of the Speaker, which has already been granted."

Mr. Ehlers spoke against the amendment.

#### ROLL CALL

The Clerk called the roll on the amendment by Representative Juelling and others to Substitute House Bill No. 1288, and the amendment was adopted by the following vote: Yeas, 47; nays, 32; not voting, 19.

Voting yea: Representatives Adams, Amen, Barnes, Benitz, Berentson, Charette, Conner, Cunningham, Curtis, Eikenberry, Ellis, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gilleland, Hansen, Hansey, Haussler, Hendricks, Honan, Jastad, Juelling, Julin, Kalich, King, Kishimoto, Kopet, Leckenby, Matthews, McCormick, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Patterson, Perry, Pullen, Savage, Schumaker, Wilson, Wjahn, and Mr. Speaker.

Voting nay: Representatives Bauer, Bender, Blair, Bluechel, Brown, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Eng, Fortson, Goltz, Hoggins, Hurley, Johnson, Kilbury, Knowles, Kraabel, Kuehne, Laughlin, Luders, Lysen, Martinis, Paris, Randall, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk.

Not voting: Representatives Anderson, Bagnariol, Bausch, Ceccarelli, Gaspard, Hawkins, Hayner, Maxie, May, Moon, Morrison, Parker, Polk, Rabel, Tilly, Warnke, Williams, Winsley, Zimmerman.

The Clerk read the following amendment by Representative Hoggins:

On page 2, line 19 add a new section to read as follows:

"NEW SECTION. Sec. 2. There is added to chapter 84.52 RCW a new section to read as follows:

(1) Whenever after July 1, 1974, an excess levy subject to the limitations imposed by RCW 84.52.050 through 84.52.056 is imposed by a school district for maintenance and operations purposes, the amount of any such levy payable in any tax year shall be reduced by an amount equal to the amount of any increased regular property tax revenues accruing to such district from increased property valuations in such district for that current year as compared with the immediately preceding year: PROVIDED, That there shall be no reduction made when the voters approve an excess levy specifically for support of new or expanded school programs: PROVIDED FURTHER, That after July 1, 1975, the state contribution for each weighted student shall not be reduced on account of increased regular property tax revenues accruing to such district from increased property valuations in such district."

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

#### CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present, except Representatives Anderson, Rabel and Zimmerman.

#### MOTION

On motion of Mr. Charette, the absent members were excused, and the House proceeded with business under the Call of the House.

The Speaker stated the question before the House to be the amendment by Mr. Hoggins adding a new section 2.

Mr. Hoggins moved adoption of the amendment, and spoke in favor of it.

Mr. Randall spoke against adoption of the amendment.

#### POINT OF INQUIRY

Mr. Hoggins yielded to question by Ms. Sommers.

Ms. Sommers: "I, along with anyone else who happens to read this, am having a little trouble understanding it. What is the fiscal note on this?"

Mr. Hoggins: "I would take the \$3.60 per thousand of assessed valuation and multiply it times the increased value of property, and that is the fiscal impact."

Representatives Sommers and Brown spoke against the amendment.

## POINT OF INQUIRY

Mr. Hoggins yielded to question by Mr. Charette.

Mr. Charette: "Representative Hoggins, have you considered the effect of the words on the fourth line from the bottom that says '...the state contribution' in light of the passage of House Bill No. 186?"

Mr. Hoggins: "Yes, and that is one of the reasons that I have this language in here, so that the weighted per pupil guarantee, the amount that each school district gets in that guarantee, will not be reduced. I have considered it very carefully and taxes will still be collected at the local level by the counties, and that amount will not be transferred on to the state, but will be used to reduce that special levy."

Mr. Hoggins spoke in favor of the amendment, and Mr. Charette spoke against it.

The amendment was not adopted.

## MOTION

Mr. Randall, having voted on the prevailing side, moved that the House now reconsider the vote by which the Randall amendments to page 1, line 16; page 1, line 26; and page 2, line 8 were adopted.

The motion was carried.

Mr. Randall spoke in favor of reconsidering the amendments.

The amendments were reconsidered and were not adopted.

On motion of Mr. Randall, the following amendments to the title were adopted:

On line 1 of the title after "taxation;" and before "amending" strike "and" and insert "amending section 36.21.080, chapter 4, Laws of 1963 and RCW 36.21.080;"

On line 3 of the title after "84.56.020" and before the period insert "; adding new sections to Title 84 RCW; and declaring an emergency"

On motion of Mr. Jueling, the following amendment to the title was adopted:

On page 1, line 3 of the title after "RCW 84.56.020" insert "; and repealing section 74, chapter 299, Laws of 1971 ex. sess. and RCW 84.40.342"

Substitute House Bill No. 1288 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1288 was placed on final passage.

Mr. Randall spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1288, and the bill passed the House by the following vote: Yeas, 90; nays, 5; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bender, Benitz, Berentson, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bausch, Brown, Gaines, Hawkins, Warnke.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Engrossed Substitute House Bill No. 1288, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SENATE BILL NO. 2156, by Senators Francis, Murray, Grant, Ridder and Woody (by Attorney General request):

Providing that limitations on implied warranties shall be of no effect regarding consumer goods.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 2156 was placed on final passage.

Mr. Ehlers spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 2156, and the bill passed the House by the following vote: Yeas, 94; nays, 1; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen,

Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North P., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representative Charnley.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Engrossed Senate Bill No. 2156, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 1208,

HOUSE BILL NO. 1238.

#### REPORT OF CONFERENCE COMMITTEE

April 22, 1974

Mr. President:

Mr. Speaker:

We, of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3145, permitting the establishment of satellite banking facilities, have had the same under consideration, and we report that we are unable to agree and respectfully request the powers of Free Conference for the purpose of amending the bill as follows:

On page 1, line 20 after "branch" and before the period insert ": PROVIDED FURTHER, That in considering any application for authority to open a new branch or to establish a new financial institution, the supervisor shall disregard the existence of facilities established pursuant to this act in determining whether there is reasonable promise of adequate support for the new branch or proposed new financial institution"

An emergency clause will also be added.

All House amendments are to be stricken.

Signed by Senators Dore, Clarke and Mardesich; Representatives Pardini and Ceccarelli.

#### MOTION

On motion of Mr. Ceccarelli, the House granted the committee the power of Free Conference on Substitute Senate Bill No. 3145.

The Speaker declared the House to be at ease.

The Speaker called the House to order.



## SECOND READING

HOUSE BILL NO. 430, by Representatives Perry, Swayze, Charnley, Kraabel, Sommers, Rabel, Thompson, Valle, Gilleland, Van Dyk, Bluechel, Brown, Blair, Wilson, North (Lois), Luders, Maxie, Ceccarelli, Cunningham, Eng, Hoggins, Matthews and Williams (by Executive request):

Creating a department of transportation.

The bill was read the second time.

On motion of Mr. Perry, Second Substitute House Bill No. 430 was substituted for House Bill No. 430, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 430 was read the second time.

Mr. Kraabel moved adoption of the following amendment: On page 5, line 33 after "approval of" strike "two-thirds" and insert "a majority"

Mr. Kraabel spoke in favor of the amendment, and Mr. Perry spoke against it.

The amendment was not adopted.

Mr. Kraabel moved adoption of the following amendment: On page 10, line 7 after "To" insert "develop, adopt"

Mr. Kraabel spoke in favor of the amendment, and Mr. Perry spoke against it.

The amendment was not adopted.

On motion of Mr. Perry the following amendments were adopted:

On page 11, section 12, line 11 after "shall deem" strike "if" and insert "it"

On page 11, section 13, line 21 strike "((state highway)) transportation commission" and insert "((state highway commission))"

On motion of Mr. Perry, the following amendments by Representatives Kilbury, Hansen and Perry were adopted:

On page 15, section 20, line 18 after "((Washington toll bridge authority))" insert "transportation commission"

On page 15, section 21, line 29 after "((authority))" insert "commission"

On page 16, section 22, line 11 after "authority)" insert "transportation commission"

On page 16, section 22, line 19 after "authority)" insert "commission"

On page 16, section 22, line 26 after "authority)" insert "commission"

On page 16, section 22, line 31 after "authority))"  
insert "commission"

On page 17, section 22, line 2 after "authority))"  
insert "commission"

Mr. Berentson moved adoption of the following amendment:

On page 4, section 1, lines 8 and 9 strike "to administer programs furthering the safety of all modes of transportation" and insert "to administer programs within the jurisdiction of this act relating to the safety of the state's transportation systems"

Representatives Berentson and Perry spoke in favor of the amendment, and it was adopted.

Second Substitute House Bill No. 430 was ordered engrossed.

On motion of Mr. Perry, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute House Bill No. 430 was placed on final passage.

Representatives Perry and Kraabel spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Perry yielded to question by Mrs. Johnson.

Mrs. Johnson: "Representative Perry, being from Eastern Washington and having a concern for the highways that enter the tri-cities, can you tell me if there would be a great loss to the tri-cities area in revenue for highway projects within that Eastern Washington section?"

Mr. Perry: "To answer your question very directly, on our calendar there will be a measure here--House Bill No. 670--which deals with any other encroachment there might be to the highway fund, namely public transportation. The solution the Senate has seen fit to put before us relieves the state from any obligation to support public transportation. This bill, in effect, doesn't do anything to adversely affect the concession of highway funds."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 430, and the bill passed the House by the following vote: Yeas, 74; nays, 21; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Eikenberry, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hoggins, Honan, Hurley, Juelling, Julin, Kalich, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis,

Matthews, Maxie, May, McCormick, Moon, Nelson, North L., O'Brien, Pardini, Parker, Patterson, Perry, Polk, Pullen, Randall, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Bausch, Benitz, Charette, Curtis, Ehlers, Ellis, Flanagan, Garrett, Hayner, Hendricks, Jastad, Johnson, Kilbury, Kuehnle, Morrison, Newhouse, North F., Paris, Savage, Schumaker, Tilly.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Engrossed Second Substitute House Bill No. 430, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 647, by Committee on State Government (Originally sponsored by Representatives Conner, Parker, Van Dyk, Rabel, Blair, Paris, Wojahn, Eng, Perry and Maxie):

Creating a new board of prison terms and paroles and defining its functions.

The bill was read the second time.

#### MOTION

Mr. Eikenberry moved that further consideration of the bill be deferred, and that the bill be held for the next working day's calendar.

Representatives Eikenberry and Hurley spoke in favor of the motion, and Representatives Conner, Bluechel, Charette and Williams spoke against it.

The motion was lost on a rising vote.

#### MOTION

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 647 be placed on final passage.

Mr. Pardini spoke against the motion.

The motion was carried on a rising vote.

#### MOTION

Mr. Julin, having voted on the prevailing side, moved that the House now reconsider the vote by which Engrossed Substitute House Bill No. 647 was advanced to final passage.

Mr. Pardini spoke in favor of the motion to reconsider, and Representatives Conner and Charette spoke against it.

Mr. Pardini spoke again in favor of the motion, and Mr. Eikenberry also spoke in favor of it.

PARLIAMENTARY INQUIRY

Mr. Kuehnle: "Mr. Speaker, did you announce the vote by which the rules were suspended, and the bill advanced to third reading?"

The Speaker: "No, but when we got to 51 we quit counting."

Mr. Kuehnle: "It is my understanding that under the Call of the House every member must vote."

The Speaker: "That is true, but on a motion to advance all we need is a majority. If you wish me to take the extra time to make a full count on rising votes, I will be happy to do so."

The motion to reconsider the motion to advance to final passage was lost on a rising vote.

The Speaker stated the question before the House to be final passage of Engrossed Substitute House Bill No. 647.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 647, and the bill passed the House by the following vote: Yeas, 59; nays, 36; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Bausch, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gaspard, Goltz, Hansen, Hawkins, Hendricks, Hoggins, Jastad, Johnson, King, Kopet, Laughlin, Leckénby, Lysen, Martinis, Maxie, McCormick, Moon, North L., O'Brien, Pardini, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Bauer, Benitz, Berentson, Cunningham, Curtis, Freeman, Gallagher, Garrett, Gilleland, Hansey, Haussler, Hayner, Honan, Hurley, Juelling, Julin, Kalich, Kilbury, Kishimoto, Knowles, Kraabel, Kuehnle, Luders, Matthews, May, Morrison, Nelson, Newhouse, North F., Patterson, Polk, Pullen, Schumaker, Wilson, Winsley.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Engrossed Substitute House Bill No. 647, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

Mr. Charette moved that the House advance to the seventh order of business.

## MOTION FOR RECONSIDERATION

Mr. Eikenberry, having voted on the prevailing side, moved that the House now reconsider the vote by which Engrossed Substitute House Bill No. 647 passed the House.

Representatives Eikenberry and Hayner spoke in favor of the motion.

Mr. Conner demanded an electric roll call, and the demand was sustained.

Mr. Williams spoke against the motion to reconsider, and Mrs. Hurley spoke in favor of it.

Mr. Conner demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion by Mr. Eikenberry that the House reconsider the vote by which Engrossed Substitute House Bill No. 647 passed the House, and the motion was not carried by the following vote: Yeas, 45; nays, 50; not voting, 3.

Voting yea: Representatives Amen, Barnes, Bauer, Benitz, Berentson, Cunningham, Curtis, Eikenberry, Ellis, Flanagan, Fortson, Freeman, Gallagher, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jueling, Julin, Kalich, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Matthews, May, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson, Winsley.

Voting nay: Representatives Adams, Bagnariol, Bausch, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Gaines, Gaspard, Goltz, Hansen, Haussler, Hawkins, Jastad, Johnson, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Moon, O'Brien, Parker, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel, Zimmerman.

## THIRD READING

ENGROSSED SENATE BILL NO. 3044, by Senator Grant:

Providing for mandatory dates for holding elections.

The bill was read the third time.

Mr. King spoke in favor of the bill.

## POINT OF INQUIRY

Mr. King yielded to question by Mr. Hansey.

Mr. Hansey: "Representative King, it has been several days since we had this bill on second reading--is this the same bill that strikes the present loyalty oath as in the state statutes?"

Mr. King: "Yes, this bill does that."

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3044, and the bill passed the House by the following vote: Yeas, 56; nays, 39; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bausch, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hawkins, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kraabel, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bauer, Benitz, Berentson, Conner, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jueling, Julin, Kishimoto, Kopet, Kuehne, Laughlin, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Schumaker, Tilly, Wilson.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Engrossed Senate Bill No. 3044, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## STATEMENT FOR THE JOURNAL

I was opposed to Engrossed Senate Bill No. 3044 because of the provision that struck the loyalty oath for candidates for public office. I voted for the bill because I felt a "yes" vote would increase my chances of being appointed to a conference committee.

KENT PULLEN, 47th District.

## MESSAGES FROM THE SENATE

April 22, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 188,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 22, 1974

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3143,

SENATE BILL NO. 3202,

SUBSTITUTE SENATE BILL NO. 3256,

SENATE BILL NO. 3358,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Charette, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

April 18, 1974  
HOUSE BILL NO. 1542, Prime sponsor: Representative Hendricks, making prescription drugs available at competitive prices, reported by Committee on Ways and Means - Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Shinpoch, Chairman; Blair, Charette, Chatalas, Curtis, Ehlers, Gaspard, Hansey, Morrison, North (Lois), Thompson, Valle, Van Dyk.

MOTION

On motion of Mr. Thompson, the rules were suspended, and House Bill No. 1542 was placed on the second reading calendar.

April 22, 1974  
ENGROSSED SUBSTITUTE SENATE BILL NO. 2906, Original sponsor: Senator Washington, providing for noise abatement and control, reported by Committee on Ecology.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 16 after "Federal" strike all the material down to and including "1857)" on line 17 and insert "Noise Control Act of 1972 (86 Stat 1234; 42 U.S.C. Sec. 4901-4918 and 49 U.S.C. Sec. 1431)"

Signed by Representatives Luders, Chairman; Valle, Vice Chairwoman; Bluechel, Douthwaite, Goltz, Hawkins, Kraabel, McCormick, Nelson, North (Lois), Pullen, Smith, Wilson.

MOTION

On motion of Mr. Charette, the rules were suspended, and Engrossed Substitute Senate Bill No. 2906 was placed on the second reading calendar.

April 22, 1974

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2940.  
Original sponsor: Senator Peterson (Lowell), limiting commercial salmon licenses, reported by Committee on Natural Resources.

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 8 of the engrossed bill, after "1977" insert ": PROVIDED HOWEVER, That nothing herein shall be construed to be contrary to the provisions of Title 75 RCW or any regulation promulgated thereunder"

On page 4 of the engrossed bill add a new section as follows:

"NEW SECTION. Sec. 15. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, line 5 of the title after "appropriation" insert "; and declaring an emergency"

Signed by Representatives Martinis, Chairman; Bausch, Vice Chairman; Clemente, Gilleland, Hansen, Hansey, Haussler, Kalich, Kishimoto.

## MOTION

On motion of Mr. Charette, the rules were suspended, and Engrossed Third Substitute Senate Bill No. 2940 was placed on the second reading calendar.

April 22, 1974

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3042.  
Original sponsor: Senator Grant, enacting a state labor-management relations act, reported by Committee on Labor.

MAJORITY recommendation: Do pass with the following amendment:

On page 2, section 2, beginning on line 13 after "organization." strike all the material down to and including "less." on line 14

Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Hawkins, King, May, Parker.

To Committee on Rules for second reading.

April 22, 1974

SENATE BILL NO. 3307. Prime sponsor: Senator Talley, permitting the department of labor and industries to insure employers against liability arising under the Longshoremen's and Harbor Workers' Act, reported by Committee on Labor.

MAJORITY recommendation: Do pass. Signed by Representatives Savage, Chairman; Warnke, Vice Chairman; Bausch, Hawkins, King, May, Parker.



To Committee on Rules for second reading.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
SENATE BILL NO. 3143,  
SENATE BILL NO. 3202,  
SUBSTITUTE SENATE BILL NO. 3256,  
SENATE BILL NO. 3358.

MOTIONS

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

On motion of Mr. Charette, the House adjourned until 10:00 a.m., Tuesday, April 23, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

## FORTIETH DAY

## MORNING SESSION

House Chamber, Olympia, Wash., Tuesday, April 23, 1974.

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Rabel and Zimmerman who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Prayer was offered by the Reverend James Dolan of the Immanuel Baptist Church of Olympia.

Reading of the journal of the preceding day was dispensed with and it was ordered to stand approved.

## MESSAGE FROM THE GOVERNOR

April 23, 1974

TO THE HONORABLE,  
THE SENATE AND THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON

In compliance with the provisions of Section 11 of Article III of the Constitution of the State of Washington, I have the honor to submit herewith my report of each case of reprieve, commutation or pardon which I have granted since the Third Extraordinary Session of the 43rd Legislature was recessed in February, 1974.

Ralph Melvin Berry was found guilty of Burglary in the Second Degree by the Superior Court of the State of Washington for Chelan County on January 20, 1934, for which he was sentenced to a term of not less than six months nor more than three years in the State Reformatory. He was further found guilty of Burglary in the Second Degree by the Superior Court of the State of Washington for Snohomish County on May 21, 1937, and was sentenced to a term of not more than fifteen years nor less than three years in the State Penitentiary. On September 30, 1942, he received a Final Discharge and Restoration of Civil Rights from Governor Arthur Langlie for each of the referenced crimes.

Substantial doubt exists as to the legality of the 1934 conviction inasmuch as Ralph Melvin Berry, a juvenile at the time of trial, was tried as an adult. The record further discloses that the harsh sentence imposed for the 1937 conviction was based in large part on the prior conviction.

With these exceptions Ralph Melvin Berry has since maintained a record free of further felony convictions and has involved himself commendably in community activities to aid in the rehabilitation of persons with criminal records.

His petition for a pardon is supported by the Prosecuting Attorney of Snohomish County and numerous other individuals in his community.

On April 23, 1974, I granted to Ralph Melvin Berry a pardon of the aforesaid crimes.

Respectfully submitted,  
 DANIEL J. EVANS,  
 Governor.

MESSAGES FROM THE SENATE

April 22, 1974

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 2688,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 22, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 2728,

SECOND SUBSTITUTE SENATE BILL NO. 3345,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 22, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3212,

SUBSTITUTE SENATE BILL NO. 3317,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker was about to sign:

HOUSE BILL NO. 188.

MOTION

On motion of Mr. Thompson, the House advanced to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1030, by Representative Charette:

Relating to printing requirements of the legislature.

MOTION

Mr. Williams moved that House Bill No. 1030 be rereferred to the Committee on State Government.

Representatives Williams and Curtis spoke in favor of the motion, and Representatives Charette and Savage spoke against it.

Mr. Lysen demanded an electric roll call and the demand was sustained.

Representatives Lysen, Williams, Moon and Polk spoke in favor of the motion to rerefer House Bill No. 1030 to the Committee on State Government, and Representatives Shinpoch and Thompson spoke against it.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Williams to rerefer House Bill No. 1030 to the Committee on State Government, and the motion was carried by the following vote: Yeas, 50; nays, 40; not voting, 8.

Voting yea: Representatives Amen, Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Freeman, Gaines, Garrett, Gilleland, Hansey, Hawkins, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Lysen, Matthews, Moon, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Randall, Schumaker, Tilly, Williams, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Ceccarelli, Charette, Clemente, Douthwaite, Ellis, Fortson, Gallagher, Goltz, Hansen, Haussler, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, May, McCormick, North F., O'Brien, Parker, Perry, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Chatalas, Conner, Gaspard, Maxie, Rabel, Winsley, Zimmerman.

The Speaker assumed the Chair.

#### MOTION

Mr. Lysen moved that the House advance to the ninth order of business.

The motion was lost on a rising vote.

#### MOTION

Mr. Kuehnle moved that the House reconsider the vote by which it did not advance to the ninth order of business.

#### PARLIAMENTARY INQUIRY

Mr. Pardini: "If my memory serves me right, a similar remonstrance was offered during the 1971 session. At that point and time Speaker Swayze allowed this to be circulated so that the members would know what was in the remonstrance and allowed the maker of the remonstrance to speak to it. There was no vote on it. It was spoken to and distributed

to the members so that the point was well made. I think Mr. Kuehnle's suggestion that he cannot vote on the question of reconsideration as to whether or not we advance to that order of business is a very pertinent question. I think that members who do not know whether it is a subject that we would want to take up have no way of knowing unless we can see it."

Mr. Kuehnle spoke again in favor of the motion, and Mrs. Johnson spoke against it.

Mr. Douthwaite demanded the previous question, and the demand was sustained.

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

The Speaker stated that the question before the House to be the motion by Mr. Kuehnle to reconsider the vote by which the House failed to advance to the ninth order of business.

Mr. Kuehnle: "Mr. Speaker, having, during this interlude, been able to determine the thrust of the remonstrance that Representative Lysen intended to introduce, I am now of the opinion that I made an improper move and I would therefore like to withdraw my motion to reconsider."

#### POINT OF ORDER

Mr. Lysen: "Under Rule 42 of the House Rules, when once begun the roll call may not be interrupted."

#### SPEAKER'S RULING

The Speaker: "There is no roll call--the matter that was under roll call was the vote to cut off debate. The matter before us now is the motion to reconsider."

Mr. Lysen: "Mr. Speaker, we had a division of the House when you called a Rules meeting without announcing the roll call vote on the question demanding the previous question."

The Speaker: "The roll call vote has been announced and it failed."

Mr. Lysen: "A division was called for and no announcement of the count of the vote was made."

The Speaker: "I don't understand what your problem is, Mr. Lysen. There was a 44 to 42 vote in regard to the previous question, and it takes two thirds to demand the previous question, so therefore the motion failed. The question before us now is the motion by Mr. Kuehnle to reconsider. Representative Kuehnle has now asked to withdraw his motion with the consent of the House."

Mr. Lysen: "I would submit, Mr. Speaker, that the roll call was interrupted. The Rules meeting that was called during the roll call was in violation of the rules and the business taking place at that meeting was in violation of Rule 42."

The Speaker: "I hereby overrule your point of order. Now is there any objection to Mr. Kuehnle withdrawing his motion to reconsider?"

Mr. Lysen objected.

The Speaker stated the question before the House to be the motion by Mr. Kuehnle to reconsider the vote by which the House failed to advance to the ninth order of business.

Mr. Lysen rose to speak on his remonstrance.

#### SPEAKER'S RULING

The Speaker: "It has been ruled that we do not debate remonstrances. You may present a remonstrance--that is your right as a member. The only question before us is whether we reconsider the motion to advance to the ninth order of business. What you want to do with that order of business isn't in point, Representative Lysen, so if you wish to speak to that motion, please proceed."

The motion to reconsider failed.

#### SECOND READING

HOUSE BILL NO. 1274, by Representatives Bagnariol, Morrison, Warnke, Thompson, Ceccarelli, Cunningham, Gaines and Kraabel (by State Teachers' Retirement System request):

Implementing state teachers' retirement system act and increasing certain benefits thereunder.

The bill was read the second time.

On motion of Mr. Bauer, Third Substitute House Bill No. 1274 was substituted for House Bill No. 1274 and the third substitute bill was placed on the calendar for second reading.

Third Substitute House Bill No. 1274 was read the second time.

Mr. Morrison moved adoption of the following amendment by Representatives Morrison and Warnke:

On page 1, beginning on line 24 strike all of section 1 and renumber the remaining sections consecutively.

Mr. Morrison spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Morrison yielded to question by Mrs. Johnson.

Mrs. Johnson: "Mr. Morrison, section 1, which begins on page 1 and continues through page 4 of this measure, contains much of the same language as House Bill No. 779, which passed the House, but I believe has not been acted on by the Senate yet. My question is: If we delete section 1 and House Bill No. 779 does not pass the Senate and become enacted into law, then, in essence, we have destroyed the consideration that this House had intended for teacher legislators, am I correct?"

Mr. Morrison: "Yes, that is correct."

Mr. Kuehnle spoke in favor of the amendment.

## POINT OF PARLIAMENTARY INQUIRY

Mr. Julin: "We are aware that the Rules Committee had a meeting, and I am wondering if the Speaker could advise the body exactly what the rules are or the procedures that were adopted as a result of that meeting so that all of the body is aware of the rules limiting the debate that we are operating under now?"

The Speaker: "Representative Julin, the Rules Committee, pursuant to Rule 55, established a time limit of one-half hour debate on each bill on second reading calendar and 15 minutes on third reading calendar, after which time a majority could demand a previous question on any question before it on that particular bill. We will distribute in writing to the members the details."

Mr. Julin: "The rule that you have just stated, does it apply to the measure now before us?"

The Speaker: "Yes, on all bills on the second and third reading calendar for today. In effect, a bill could be debated for a half hour and then after that it could be debated on for hours unless the majority of the members asks for the previous question, but each amendment or question has to be considered under that rule. It only relates to the amount of debate on that particular question before us after the thirty minutes has expired."

## POINT OF PARLIAMENTARY INQUIRY

Mr. Kuehnle: "Pursuing the same question, Mr. Speaker. You are saying that you will allow 30 minutes on a given bill on second reading; following that time you will be limiting debate beyond that point?"

The Speaker: "Representative Kuehnle, let me restate it. Up to 30 minutes, it takes a two-thirds majority to demand the previous question. After 30 minutes, then it only takes a majority of the body present to demand a previous question. There is nothing in the rules that says

there wouldn't be a ten hour debate on any particular issue. Each particular item would have to be considered separately and it just changes the vote necessary for demanding the previous question."

Mr. Kuehnle: "If I understand correctly, Mr. Speaker, if after the 30 minutes debate on a given bill an amendment is offered, the maker of the amendment will at least have the opportunity to set forth the thrust of the amendment and then if a call for the previous question was made, that call would relate only to the question of the amendment and not the main question?"

The Speaker: "Representative Kuehnle, the practice in the past has been that the maker of the motion is usually called upon. As you well know, in our rules we have a provision that if you really want to cut off debate you can just call for consideration and the maker of the motion isn't even allowed to debate. However, this is not what this rule is aimed at. This rule is so that after debate is started the previous question can be called. I have never been presented, or ever even thought about the fact that you state the motion and then somebody would call for the previous question because there is another way of doing the same thing. I don't see the advantage in that particular maneuver, but maybe the people in the body will show me today."

Mr. Kuehnle: "You aren't understanding me, Mr. Speaker. I want to know that if the previous question is asked for and voted on by the majority vote, it takes with it only that given amendment, and does not take with it the entire question. In essence, it would be used or could be used in the same manner as a question of consideration might be used?"

The Speaker: "You would use it at the very time the amendment was placed."

The Speaker stated the question before the House to be the amendment to Third Substitute House Bill No. 1274 by Representatives Morrison and Warnke.

Mr. Warnke spoke in favor of the amendment.

#### POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. O'Brien.

Mr. O'Brien: "The only problem that you have in striking this material from Third Substitute House Bill No. 1274 is that you might be burning your bridges behind you. If no one knows whether or not the Senate is going to act on House Bill No. 779, and if we pass this bill, isn't that true?"

Mr. Warnke: "I have great confidence in the ability of the body on the other side to take action, Mr. O'Brien. If your logic were to hold true what we would do would be to



pass several bills out of here, all with different language covering the same situation and hedge our bets. I don't think that it is necessary and I would hope that everyone in this body would support the amendment on the floor and not place the entire bill in jeopardy."

Representatives Warnke and Hoggins spoke in favor of the amendment, and Representatives O'Brien and Johnson spoke against it.

The amendment was adopted.

On motion of Mr. Warnke, the following amendment by Representatives Warnke and Morrison was adopted:

On page 12 beginning on line 8 strike section 10 and renumber the remaining sections consecutively.

The Clerk read the following amendment by Representative Brown:

On page 5, line 30 insert a new section to read as follows:

"NEW SECTION. Sec. 2. Section 30, chapter 80, Laws of 1947 as last amended by section 5, chapter 14, Laws of 1963 ex. sess. and RCW 41.32.300 are each amended to read as follows:

Henceforth a total of not more than four years of service outside of the state shall be credited to a member who establishes or reestablishes credit for out-of-state public school employment in this state subsequent to July 1, 1961. Foreign public school teaching service shall be creditable as out-of-state service: PROVIDED, That no out-of-state service credit shall be established or reestablished subsequent to ((July 1, 1964)) January 1, 1975, except that a member who has been granted official leave of absence by his employer may, upon his return to public school service in this state, establish out-of-state membership service credit, within the limitations of this section, for public school service rendered in another state or in another country. No member who establishes out-of-state service credit after July 1, 1947, shall at retirement for pension payment purposes be allowed credit for out-of-state service in excess of the number of years credit which he shall have earned in the public schools of the state of Washington.

A member who was previously barred from establishing or reestablishing credit for out-of-state service under the prior terms of this section shall have a new opportunity to establish or reestablish such credit on the above terms.

A member who establishes or reestablishes credit for out-of-state service under the terms of this section shall pay such an amount as may be determined by the board of trustees to ensure that the member underwrite the entire cost of the additional creditable service."

Renumber the remaining sections consecutively.

Mr. Brown moved that the House do not adopt his amendment, and explained his motion.

Representatives Shinpoch, Warnke and Kuehnle spoke in favor of the motion.

POINT OF PARLIAMENTARY INQUIRY

Mr. Bausch: "Is a vote 'yes' to defeat the amendment?"

The Speaker: "Yes, a vote 'yes' would defeat the amendment, because the motion was a motion to not adopt the amendment by Representative Brown."

The amendment was not adopted.

On motion of Mr. Shinpoch, the following amendments to the title by Representatives Morrison and Warnke were adopted:

On page 1, beginning on line 2 of the title strike "amending" and all material down to and including "41.32.010;" on line 4.

On line 20 of the title after "RCW;" and before "providing that" strike "making an appropriation;"

Third Substitute House Bill No. 1274 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Third Substitute House Bill No. 1274 was placed on final passage.

Representatives Morrison, Kuehnle, Bausch and Johnson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Third Substitute House Bill No. 1274, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Engrossed Third Substitute House Bill No. 1274, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charnley, Engrossed Third Substitute House Bill No. 1274 was ordered transmitted immediately to the Senate.

#### POINT OF PERSONAL PRIVILEGE

Mrs. Johnson: "I would like to address the members of the House of Representatives and tell you one of our accomplishments. You did pass House Joint Memorial No. 5 requesting that the President, the Congress and the Post Office Department issue a commemorative stamp in honor of Expo '74. I want each of you to know that this stamp is a little bright and was issued April 19, Patriot's Day. I would like to present this sheet of Expo '74 stamps to the Speaker. Would the Representatives who also sponsored the memorial join me?"

Representatives Johnson, Knowles, Hurley, McCormick, Pardini, Kopet, Luders, May and Kuehnle presented the stamps to the Speaker.

The Speaker: "Thank you very much; I don't know the exact value of these stamps other than they will be very dear to my heart. I wish to thank you very, very much, you people from the Spokane area, and we are very proud of the effort that went into the creation of Expo '74. We all know that it is going to be a tremendous success because of the people involved on the east side."

#### MOTION

On motion of Mr. Thompson, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

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The House was called to order at 2:00 p.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Anderson, Chatalas, Luders, Rabel and Zimmerman. Representatives Rabel and Zimmerman were excused.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 3312, by Committee on Judiciary:

Revising the law relating to the criminally insane.

The bill was read the second time.

Committee on Judiciary recommendation: Do pass as amended. (For amendment see Journal for thirty-fifth day, 3rd ex. sess., April 18, 1974.)

Mr. Smith moved adoption of the committee amendment.

On motion of Mr. Tilly, the following amendment to the committee amendment was adopted:

On page 2, section 1, line 3 strike "mine" and insert "mind"

Mr. Eikenberry moved adoption of the following amendment to the committee amendment:

On page 2, line 3 after "(7)" strike everything down to and including "conduct." on line 7

Mr. Eikenberry spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. Eikenberry yielded to question by Mr. Smith.

Mr. Smith: "Representative Eikenberry, was the gentleman that you referred to out of Spokane committed as criminally insane?"

Mr. Eikenberry: "To my knowledge, he was not."

Mr. Smith spoke against the amendment to the amendment, and Mr. Eikenberry spoke again in favor of it.

The amendment to the amendment was lost on a rising vote.

The Clerk read the following amendment to the committee amendment by Representative Eikenberry:

On page 6, line 28 after "the" strike down to and including "conduct" on line 31 and insert "((extent he lacked capacity either;

{i} To know or appreciate the nature and consequences of such conduct; or

{ii} To know or appreciate the criminality of such conduct)) defendant's sanity at the time of the act"

Mr. Eikenberry stated that with the consent of the House he would withdraw his amendment.

Mr. Kuehnle objected to the amendment to the amendment being withdrawn, and the Speaker stated that the question before the House was the amendment by Mr. Eikenberry to the committee amendment.

Mr. Kuehnle moved adoption of the amendment by Mr. Eikenberry to the committee amendment.

Representative Eikenberry spoke in favor of the amendment to the amendment, and Mr. Smith spoke against it.

Mr. Eikenberry spoke again in favor of his amendment.

Mr. Morrison demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the Eikenberry amendment to the committee amendment to Substitute Senate Bill No. 3312, and the amendment to the amendment was adopted by the following vote: Yeas, 49; nays, 42; not voting, 7.

Voting yea: Representatives Amen, Barnes, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, May, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Randall, Schumaker, Tilly, Wilson, Winsley.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Gaspard, Goltz, Hansen, Hawkins, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Martinis, McCormick, Moon, O'Brien, Parker, Perry, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Charette, Lysen, Maxie, Rabel, Williams, Zimmerman.

On motion of Mr. Smith, the House moved to reconsider the vote by which the amendment by Mr. Eikenberry to page 2, line 3 of the committee amendment was not adopted.

The amendment to the amendment was adopted.

The Speaker stated the question before the House to be the adoption of the committee amendment as amended to Substitute Senate Bill No. 3312.

The committee amendment as amended was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3312 as amended by the House was placed on final passage.

Mr. Smith spoke in favor of the bill.

## POINT OF INQUIRY

Mr. Eikenberry yielded to question by Mr. Amen.

Mr. Amen: "I would like a little more information on the bill than I have received so far to be able to vote on it. Could you give us a little more information on this bill, Representative Eikenberry?"

Mr. Eikenberry: "The problem that this bill gets to is one that really, I think, we have only begun on. It is a step in the right direction. The point is that over the years, over the centuries as a matter of fact, it has always been a problem of whether or not criminal culpability should attach to an act when that person does not appreciate what he is doing, and the manner in which a person pleads that kind of defense, and the question of what we should do with that kind of a person when he has committed that kind of offense, is something that has been evolving with our society as we have gone over the years. I do think this bill is a step in the right direction. It sets up a number of procedural steps that the defendant who chooses to plead that kind of defense must take. It provides the psychiatrist who is appointed to represent or interview the defendant for his interest; it provides certain things that the psychiatrist should look for; it also provides that there may be a psychiatrist appointed or present at the time on behalf of the state to provide a professional, more or less independent, point of view. The whole purpose, I really believe, is to present to the jury who must ultimately decide this question a list of a more advocate kind of opinion than has characterized trials in the past. For that reason, I do believe that this bill should pass."

Mr. Knowles spoke in favor of the bill.

Mr. O'Brien assumed the Chair.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3312 as amended by the House, and the bill passed the House by the following vote: Yeas, 89; nays, 0; not voting, 9.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charnley, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith,

Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, Wojahn.

Not voting: Representatives Anderson, Charette, Chatalas, Lysen, Parker, Rabel, Williams, Zimmerman, and Mr. Speaker.

Substitute Senate Bill No. 3312 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

Mr. Brown moved that the Committee on Rules be relieved of ENGROSSED SENATE BILL NO. 3243, and the bill be considered immediately.

Mr. Brown spoke in favor of the motion.

Mr. Blair demanded an electric roll call and the demand was sustained.

#### MOTION

Mr. Thompson, moved that Mr. Brown's motion be amended, and that Engrossed Senate Bill No. 3243 be placed on the calendar immediately following Substitute Senate Bill No. 2017.

#### POINT OF PARLIAMENTARY INQUIRY

Mr. Brown: "If this amendment to the motion passes, is there anything that would preclude a later motion to move it up for immediate consideration?"

The Speaker (Mr. O'Brien presiding): "No, there wouldn't be anything to preclude it. It could be changed during the intervening business."

The motion to amend Mr. Brown's motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Mr. Brown as amended by Mr. Thompson, to relieve the Rules Committee of Engrossed Senate Bill No. 3243 and place it on the second reading calendar immediately following Substitute Senate Bill No. 2017.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Brown to relieve the Rules Committee of Engrossed Senate Bill No. 3243 and place it on the calendar for second reading, and the motion was carried by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas,

Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn.

Not voting: Representatives Anderson, Parker, Rabel, Zimmerman, and Mr. Speaker.

HOUSE BILL NO. 784, by Representatives Bausch and Ehlers:

Increasing mileage allowance for state officials and employees.

The bill was read the second time.

Committee on Ways and Means - Appropriations recommendation: Majority, do pass as amended. (For amendments, see Journal for thirty-fifth day, 3rd ex. sess., April 18, 1974.)

Mr. Shinpoch moved adoption of the committee amendment.

On motion of Mr. Shinpoch the following amendment by Representatives Shinpoch and Kopet to the committee amendment was adopted:

On page 1 of the committee amendment, section 1, line 9 after "he" and before "be" strike "~~((shall))~~ may" and insert "shall"

The committee amendment as amended was adopted.

On motion of Mr. Shinpoch, the committee amendment to the title was adopted.

House Bill No. 784 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 784 was placed on final passage.

Mr. Bausch spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 784, and the bill passed the House by the following vote: Yeas, 88; nays, 6; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher,



Garrett, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Barnes, Cunningham, Kuehnle, Polk, Pullen, Wilson.

Not voting: Representatives Anderson, Gaspard, Rabel, Zimmerman.

Engrossed House Bill No. 784, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

HOUSE BILL NO. 1079. by Representatives Valle, Conner, Goltz, Flanagan, Zimmerman, Warnke, Fortson, Kilbury, Lysen and Eng:

Relating to health and safety.

The bill was read the second time.

On motion of Mr. Adams, Substitute House Bill No. 1079 was substituted for House Bill No. 1079, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1079 was read the second time.

Mr. Kuehnle moved adoption of the following amendment:  
On page 1, line 7 after "shall" and before "smoke" insert ", when a majority of those present object,"

Debate ensued, Representatives Kuehnle and Perry speaking in favor of the amendment, and Representatives Valle, Kraabel, Thompson and Flanagan speaking against it.

#### POINT OF INQUIRY

Mr. Perry yielded to question by Mr. Patterson.

Mr. Patterson: "As I read the bill right now, and in view of your remarks, are you interpreting this gathering as we are now gathered to be a public meeting?"

Mr. Perry: "If this isn't a public meeting, I don't know what is a public meeting."

Mr. Patterson: "I am wondering why we aren't getting more input from those in the galleries?"

Mr. Perry: "Well, you ought to come to a few of those committee meetings that we have. You've been there, we get plenty of input from the people in the audience."

Mr. Patterson: "One other thing, do you suppose that this applies to our caucuses?"

Mr. Perry: "By all means, that's where it gets the worst."

Mr. Patterson: "Is that a public meeting?"

Mr. Perry: "No, that isn't a public meeting."

Representative Patterson spoke in favor of the amendment, and Representatives Valle and Blair spoke against it.

Mr. Douthwaite demanded the previous question and the demand was sustained.

Mr. Kuehnle demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the amendment by Mr. Kuehnle to Substitute House Bill No. 1079, and the amendment failed to pass by the following vote: Yeas, 28; nays, 65; not voting, 5.

Voting yea: Representatives Bagnariol, Barnes, Benitz, Berentson, Charette, Curtis, Ellis, Gilleland, Goltz, Hansen, Hansey, Jueling, Kalich, Knowles, Kopet, Kuehnle, Martinis, May, McCormick, Morrison, Newhouse, Patterson, Polk, Shinpoch, Smith, Sommers, Wilson, Wojahn.

Voting nay: Representatives Adams, Amen, Bauer, Bausch, Bender, Blair, Bluechel, Brown, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Julin, Kilbury, King, Kishimoto, Kraabel, Laughlin, Leckenby, Luders, Lysen, Matthews, Maxie, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Pullen, Randall, Savage, Schumaker, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Winsley, and Mr. Speaker.

Not voting: Representatives Anderson, Parker, Perry, Rabel, Zimmerman.

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

The Speaker called the House to order.

The Speaker stated the question before the House to be Substitute House Bill No. 1079 on second reading.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, line 7 after "shall" and before "smoke" insert "except with the consent of a majority of those present,"

Mr. Kuehnle spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Kuehnle yielded to question by Mr. May.

Mr. May: "Our coliseum, and they have them all over the state, where there are a great many people at a public place, are you going to put voting booths in, or how are you going to handle that?"

Mr. Kuehnle: "That type of situation, Representative May, is an entirely different situation than what we are talking about. We already have the authority to prohibit smoking under any of those given and special sets of circumstances. This is a statute that just carte blanche is going to prohibit smoking at any public gathering on state-owned property--quite a different thing. The statutes already permit the prohibition of smoking in the theater or in the coliseum or these types of things that you are talking about."

Mr. Kraabel spoke in favor of the amendment.

The amendment was not adopted.

MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute House Bill No. 1079 was placed on final passage.

Mrs. Valle spoke in favor of the bill.

POINT OF PERSONAL PRIVILEGE

Mr. May: "So many people blowing smoke,  
And others thinking that's a joke,  
While I cover eyeballs with Murine  
To offset smoke from nicotine."

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1079, and the bill passed the House by the following vote: Yeas, 59; nays, 35; not voting, 4.

Voting yea: Representatives Amen, Bauer, Bausch, Bender, Blair, Bluechel, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eng, Flanagan, Fortson, Freeman, Gaspard, Goltz, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Johnson, Jueling, Kilbury, King, Kishimoto, Kopet, Kraabel, Laughlin, Luders, Lysen, Matthews, Maxie, May, Nelson, North F., North L., O'Brien, Paris, Parker, Perry, Pullen,

Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Winsley.

Voting nay: Representatives Adams, Bagnariol, Barnes, Benitz, Berentson, Brown, Charette, Cunningham, Curtis, Eikenberry, Ellis, Erickson, Gaines, Gallagher, Garrett, Gilleland, Hansen, Hansey, Jastad, Julin, Knowles, Kuehnle, Leckenby, Martinis, McCormick, Moon, Morrison, Newhouse, Pardini, Patterson, Polk, Randall, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Kalich, Rabel, Zimmerman.

Substitute House Bill No. 1079, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTIONS

On motion of Mr. Thompson, ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3042 was made a special order of business for 8:00 p.m.

On motion of Mr. Thompson, HOUSE BILL NO. 1283 was placed on the calendar for immediate consideration.

HOUSE BILL NO. 1283, by Representatives Laughlin, Bauer, Zimmerman, Paris, Thompson, Kilbury, Tilly, Kishimoto, Haussler, Patterson and Luders:

Providing for a compact between Washington, Oregon and Idaho relating to Columbia River anadromous fish.

The bill was read the second time.

Committee on Natural Resources recommendation: Majority, do pass as amended. (For amendments, see Journal for fifteenth day, 3rd ex. sess., January 28, 1974.)

On motion of Mr. Martinis, the committee amendments were adopted.

House Bill No. 1283 was ordered engrossed.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed House Bill No. 1283 was placed on final passage.

Mr. Laughlin spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1283, and the bill passed the House by the following vote: Yeas, 89; nays, 4; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair,

Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North L., O'Brien, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Fortson, Gilleland, North F., Pardini.

Not voting: Representatives Anderson, Paris, Rabel, Tilly, Zimmerman.

Engrossed House Bill No. 1283, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Thompson, the following bills were placed on the second reading calendar in the following order: ENGROSSED SUBSTITUTE SENATE BILL NO. 2562, SUBSTITUTE SENATE BILL NO. 3200, ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2940, SENATE BILL NO. 3169, SENATE BILL NO. 3380, ENGROSSED SENATE BILL NO. 3382, ENGROSSED SENATE BILL NO. 3062, SUBSTITUTE SENATE BILL NO. 3194, ENGROSSED SUBSTITUTE SENATE BILL NO. 2906, SUBSTITUTE SENATE BILL NO. 2017 and ENGROSSED SENATE BILL NO. 3243.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2562, by Committee on Transportation and Utilities (Originally sponsored by Senator Walgren):

Making appropriations to the toll bridge authority and highway commission.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2562 was placed on final passage.

Mr. Conner spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Amen.

Mr. Amen: "Will the state be buying any of the property of the owners of the present ferry? Do the rights of the present owners expire?"

Mr. Conner: "They have turned in their certificate to the state and it is open for negotiations up to \$90,000 of what the court may determine might have been the assets of the former owner."

Mr. Amen: "When do the rights of the present owner expire?"

Mr. Conner: "They have, as far as the route is concerned, already expired. There is a question as to whether he may own the docks in question on either side. He has granted the right of entry to the state and the state has made a study as to the improvements that are necessary for those docking facilities necessary in order to continue the summer run of this Port Townsend-Keystone ferry."

Representatives Wilson and Fortson spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Conner yielded to question by Mr. Kraabel.

Mr. Kraabel: "Do you have a statement from the Highway Department in regard to how they feel about resumption of the route?"

Mr. Conner: "We attended the toll bridge meeting and at that meeting these were the steps that were suggested by the Governor and the Toll Bridge Authority relative to taking that over. They did agree that the particular route, which is just a small phase as far as this bill is concerned, was of statewide significance, that it was of importance and they were in favor of it. They have already gone ahead with the studies that are necessary in order to make whatever improvements for the state ferry to begin operation."

Mr. Kraabel spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2562, and the bill passed the House by the following vote: Yeas, 93; nays 1; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker,

Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representative Blair.

Not voting: Representatives Anderson, Kopet, Rabel, Zimmerman.

Engrossed Substitute Senate Bill No. 2562, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3200, by Committee on Education (Originally sponsored by Senator von Reichbauer):

Authorizing school district summer school programs with attendant fees for maintenance and operation costs.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3200 was placed on final passage.

Mr. Bauer spoke in favor of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3200, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Substitute Senate Bill No. 3200, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2940, by  
Committee on Natural Resources:

An act relating to food fish and shellfish.

The bill was read the second time.

Committee on Natural Resources recommendation:  
Majority, do pass as amended. (For amendments, see Journal  
for thirty-ninth day, 3rd ex. sess., April 22, 1974.)

On motion of Mr. Martinis, the committee amendments  
were adopted.

On motion of Mr. Van Dyk, the rules were suspended, the  
second reading considered the third, and Engrossed Third  
Substitute Senate Bill No. 2940 as amended by the House was  
placed on final passage.

Mr. Martinis spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Leckenby.

Mr. Leckenby: "Representative Martinis, does this bill  
provide that those men who do have licenses--that the  
licenses are marketable--transferrable? Could they sell  
them to others or when they stop fishing do they just give  
up their licenses?"

Mr. Martinis: "Well, Representative Leckenby, there is  
nothing in this act that allows that, although licenses are  
transferrable, but the bill doesn't address itself to that.  
The three percent annual increase that is now built into  
this act, I think, would prevent profiteering on commercial  
fishing licenses as has happened to liquor licenses in the  
past. Somebody who would want a license would be able to  
go through the director who would have to form a review  
board which would review the capabilities or the sincerity  
of the individual and I believe that we have protected  
against that in this bill."

#### POINT OF INQUIRY

Mr. Martinis yielded to question by Mr. Ceccarelli.

Mr. Ceccarelli: "Representative Martinis, one of the  
things that I have been concerned with in this type of  
legislation is the boats that are either new boats or boats  
that are under construction. I represent a constituency  
where a lot of these people live and could you answer  
whether they are covered? If they are covered, are they  
covered under the three percent a year or are they covered  
under the present act?"

Mr. Martinis: "Representative Ceccarelli, I share your  
concern--I had calls from all over the state of Washington  
when were were working on this bill. This is one thing



that I insisted on with the Senate, that this bill did come over with those safeguards in it or we would not accept the bill. What we have done is that those people who have purchased a boat in good faith or have contracted for the construction of a new boat would be entitled to buy a license. Now if that boat has not yet arrived or will not be on the line for 1974 and the license will come in 1975 or 1976, that boat will still be able to be licensed. We had to protect those people who wanted to enter the industry in good faith."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Third Substitute Senate Bill No. 2940 as amended by the House, and the bill passed the House by the following vote: Yeas, 87; nays, 7; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Randall, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Wilson, Winsley, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Conner, Polk, Savage, Williams, Wojahn.

Not voting: Representatives Anderson, Moon, Rabel, Zimmerman.

Engrossed Third Substitute Senate Bill No. 2940 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MOTION

On motion of Mr. Charette, consideration of SENATE BILL NO. 3169 was deferred, and the bill was ordered placed on the calendar following Senate Bill No. 3380.

SENATE BILL NO. 3380, by Committee on Social and Health Services (Endorsed by Senators Day, Van Hollebeke, Ridder (Ruth), Connor, Jones, Clarke, Murray, von Reichbauer and Francis):

Relating to health care services, enabling the hospital commission to undertake a state cost containment control program in lieu of a federal control program as authorized under federal law and regulation.

The bill was read the second time.

Mr. Matthews moved adoption of the following amendments:

On page 2, section 1, lines 14 and 15 strike "and related health care institutions"

On page 2, section 1, lines 19 and 20 strike "and related health care institutions"

Mr. Matthews spoke in favor of the amendments, and Mr. Parker spoke against them.

Mr. Leckenby spoke in favor of the amendments.

The amendments were not adopted on a rising vote.

Mr. Matthews moved adoption of the following amendment:

On page 2, section 1, lines 26 to 29 after "1970" strike all material down to and including "state" on line 29.

Mr. Matthews spoke in favor of the amendment, and Mr. Parker spoke against it.

The amendment was not adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3380 was placed on final passage.

Mr. Matthews spoke in opposition to the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3380, and the bill passed the House by the following vote: Yeas, 63; nays, 29; not voting, 6.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansey, Haussler, Hawkins, Hendricks, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., North L., O'Brien, Paris, Parker, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bluechel, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hayner, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Nelson, Patterson, Polk, Pullen, Schumaker, Tilly.

Not voting: Representatives Anderson, Martinis, Pardini, Perry, Rabel, Zimmerman.

Senate Bill No. 3380, having received the constitutional majority, was declared passed. There being

no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 3169, by Senator Walgren:

Defining crimes relating to telephone and telegraph services.

The bill was read the second time.

Mr. Knowles moved adoption of the following amendment:

On page 1, line 19 strike all of section 2 and insert the following:

"Sec. 2. Section 1, chapter 144, Laws of 1955, as last amended by section 1, chapter 75, Laws of 1972 1st ex. sess. and RCW 9.45.240 are each amended to read as follows:

(1) Every person who, with intent to evade the provisions of any order of the Washington public service commission or of any tariff, rule or regulation lawfully filed with said commission by any telephone or telegraph company, or with intent to defraud, obtains telephone or telegraph service from any telephone or telegraph company through the use of a false or fictitious name or telephone number or the unauthorized use of the name or telephone number of another, or through any other trick, deceit or fraudulent device, shall be guilty of a misdemeanor: PROVIDED, HOWEVER, That if the value of the telephone or telegraph service which any person obtains in violation of this section during a period of ninety days exceeds seventy-five dollars in the aggregate, then such person shall be guilty of a gross misdemeanor: PROVIDED FURTHER, That as to any act which constitutes a violation of both this ((1972 act)) subsection and RCW 9.26A.050 the provisions of RCW 9.26A.050 shall be exclusive.

(2) Every person who:

(a) Makes, possesses, sells, gives or otherwise transfers to another an instrument, apparatus, or device with intent to use it or with knowledge or reason to believe it is intended to be used to avoid any lawful telephone or telegraph toll charge or to conceal the existence or place of origin or destination of any telephone or telegraph message; or

(b) Sells, gives or otherwise transfers to another plans or instructions for making or assembling an instrument, apparatus or device described in subparagraph (a) of this subsection with knowledge or reason to believe that they may be used to make or assemble such instrument, apparatus or device shall be guilty of a gross misdemeanor."

Mr. Moon moved adoption of the following amendment to the Knowles amendment by Representatives Moon, Charette and Eikenberry:

On page 1, insert a new section as follows:

"NEW SECTION. Sec. 3. Nothing included within this act shall prohibit a telephone subscriber from connecting to the service, within the subscribers premises, a means of preserving any messages received thereon for private use."

Representatives Moon and Eikenberry spoke in favor of the amendment to the amendment, and Mr. Knowles spoke against it.

The amendment to the amendment was adopted.

Mr. Knowles spoke in favor of his amendment as amended, and it was adopted.

On motion of Mr. Knowles, the following amendment to the title was adopted:

On page 1, line 2 of the title after "9.26A RCW;" strike the remainder of the title and insert "and amending section 1, chapter 144, Laws of 1955, as last amended by section 1, chapter 75, Laws of 1972, 1st ex. sess., and RCW 9.45.240."

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3169 as amended by the House was placed on final passage.

Mr. Knowles spoke in favor of the bill, and Mr. Eikenberry spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3169 as amended by the House, and the bill passed the House by the following vote: Yeas, 79; nays, 14; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Cunningham, Curtis, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, May, McCormick, Moon, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Savage, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Benitz, Conner, Douthwaite, Ehlers, Eikenberry, Flanagan, Gilleland, Hansen, Matthews, North F., Schumaker, Shipoch, Smith, Sommers.

Not voting: Representatives Anderson, Maxie, Rabel, Randall, Zimmerman.

Senate Bill No. 3169 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Charette, consideration of SENATE BILL NO. 3382 was deferred, and the bill was ordered placed on the calendar immediately following Engrossed Senate Bill No. 3243.

ENGROSSED SENATE BILL NO. 3062, by Senators Lewis (Harry) and Sandison:

Authorizing the sale and redemption of general obligation bonds for the construction and furnishing of higher education buildings and facilities.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3062 was placed on final passage.

Mr. Bausch spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3062, and the bill passed the House by the following vote: Yeas, 93; nays, 2; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Mathews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North P., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Kuehne, Leckenby.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Engrossed Senate Bill No. 3062, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 3194, by Committee on Ways and Means (Originally sponsored by Senators Durkan, Bailey and T.G. Peterson):

Providing for increases in police and firemen's pensions.

The bill was read the second time.

Mr. Warnke moved adoption of the following amendment by Representatives Warnke, Bagnariol and Morrison:

On page 1, strike everything after the enacting clause and insert the following:

"Section 1. Section 38, chapter 209, Laws of 1969 ex. sess. as amended by section 3, chapter 37, Laws of 1970 ex. sess. and RCW 41.16.145 are each amended to read as follows:

The amount of all benefits payable under the provisions of RCW 41.16.080, 41.16.120, 41.16.130 and 41.16.140 as now or hereafter amended, shall be increased annually as hereafter in this section provided. ((The present benefits payable under RCW 41.16.080, 41.16.120, 41.16.130 and 41.16.140 on July 1, 1969 shall be increased two percent each year using as a basis for such two percent increase, the amount of present benefit payable and not the amount of the future benefit payable which will hereafter be increased by the provisions of this section:)) The local pension board shall meet subsequent to March 31st but prior to June 30th of each year for the purposes of adjusting benefit allowances payable pursuant to the aforementioned sections. The local board shall determine the percentage increase in the consumer price index between January 1st and December 31st of the previous year and increase in dollar amount the benefits payable subsequent to July 1st of the year in which said board makes such determination by a dollar amount proportionate to the increase in the consumer price index; PROVIDED, That regardless of the change in the consumer price index, such increase shall be at least two percent each year such adjustment is made.

((As to each person receiving such benefits on or after July 1, 1969, said increases shall take effect as of July 1st; of the first year when such benefits have heretofore or shall hereafter become payable:)) Each year effective with the July payment all benefits specified herein, shall be increased ((two percent as authorized)) by this section. This benefit increase shall be paid monthly as part of the regular pension payment and shall be cumulative ((but shall not be compounded)). The increased benefits authorized by this section shall not affect any benefit payable under the provisions of chapter 41.16 RCW in which the benefit payment is attached to a current salary of the rank held at time of retirement.

For the purpose of this section the term

'Consumer price index' shall mean, for any calendar year, the average consumer price index for the Seattle, Washington area as compiled by the bureau of labor statistics of the United States department of labor.

Sec. 2. Section 33, chapter 209, Laws of 1969 ex. sess. as amended by section 1, chapter 37, Laws of 1970 ex.

sess. and RCW 41.18.104 are each amended to read as follows:

The amount of all benefits payable under the provisions of RCW 41.18.040, 41.18.080 and 41.18.100 as now or hereafter amended, shall be increased annually as hereafter in this section provided. ((The present benefits payable under RCW 41-18-040, 41-18-080 and 41-18-100 on July 1, 1969 shall be increased two percent each year using as a basis for such two percent increase, the amount of the present benefit payable and not the amount of the future benefit payable which will hereafter be increased by the provisions of this section:)) The local pension board shall meet subsequent to March 31st but prior to June 30th of each year for the purpose of adjusting benefit allowances payable pursuant to the aforementioned sections. The local board shall determine the percentage increase in the consumer price index between January 1st and December 31st of the previous year and increase in dollar amount the benefits payable subsequent to July 1st of the year in which said board makes such determination by a dollar amount proportionate to the increase in the consumer price index: PROVIDED, That regardless of the change in the consumer price index, such increase shall be at least two percent each year such adjustment is made.

((As to each person receiving such benefits on or after July 1, 1969, said increases shall take effect as of July 1st, of the first year when such benefits have heretofore or shall hereafter become payable:)) Each year effective with the July payment all benefits specified herein, shall be increased ((two percent)) as authorized by this section. This benefit increase shall be paid monthly as part of the regular pension payment and shall be cumulative ((but shall not be compounded)). The increased benefits authorized by this section shall not affect any benefit payable under the provisions of chapter 41.18 RCW in which the benefit payment is attached to a current salary of the rank held at time of retirement.

For the purpose of this section the term

'Consumer price index' shall mean, for any calendar year, the average consumer price index for the Seattle, Washington area as compiled by the bureau of labor statistics of the United States department of labor.

Sec. 3. Section 34, chapter 209, Laws of 1969 ex. sess. as amended by section 2, chapter 37, Laws of 1970 ex. sess. and RCW 41.26.250 are each amended to read as follows:

All benefits presently payable pursuant to the provisions of RCW 41.20.050, 41.20.060 and 41.20.080 as such RCW sections existed prior to the effective date of the amendment of such RCW sections by sections 1, 2, 3, chapter 191, Laws of 1961 to persons who retired prior to the effective date of the said 1961 amendatory act, shall be increased annually as hereafter in this section provided. ((On July 1, 1969 such presently payable benefits shall be increased two percent each year using as a basis for such two percent increase, the amount of the present benefit payable and not the amount of the future benefit payable which will hereafter be increased by the provisions of this section:)) The local pension board shall

meet subsequent to March 31st but prior to June 30th of each year for the purpose of adjusting benefit allowances payable pursuant to the aforementioned sections. The local board shall determine the percentage increase in the consumer price index between January 1st and December 31st of the previous year and increase in dollar amount the benefits payable subsequent to July 1st of the year in which said board makes such determination by a dollar amount proportionate to the increase in the consumer price index: PROVIDED, That regardless of the change in the consumer price index, such increase shall be at least two percent each year such adjustment is made.

((As to each person receiving such benefits on or after July 1, 1969; said increases shall take effect as of July 1st, of the first year when such benefits have heretofore or shall hereafter become payable;)) Each year effective with the July payment all benefits specified herein, shall be increased ((two percent)) as authorized by this section. This benefit increase shall be paid monthly as part of the regular pension payment and shall be cumulative ((but shall not be compounded)).

For the purpose of this section the term 'Consumer price index' shall mean, for any calendar year, the average consumer price index for the Seattle, Washington area as compiled by the bureau of labor statistics of the United States department of labor.

Sec. 4. Section 35, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.260 are each amended to read as follows:

All benefits presently payable pursuant to the provisions of RCW 41.20.085 which are not related to the amount of current salary attached to the position held by the deceased member, shall be increased annually ((as hereafter in this section provided: On July 1, 1969 such presently payable benefits shall be increased two percent each year using as a basis for such two percent increase, the amount of the present benefit payable and not the amount of the future benefit payable which will hereafter be increased by the provisions of this section:

Said increases shall become effective July 1, 1969 or one year after the date when the said benefits are payable; whichever is later. Each year effective with the July payment all benefits specified herein; shall be increased two percent as authorized by this section. This benefit increase shall be paid monthly as part of the regular pension payment and shall be cumulative but shall not be compounded)) in the same manner and to the same extent as provided for pursuant to section 3 of this 1974 amendatory act.

NEW SECTION. Sec. 5. The following acts or parts of acts are each hereby repealed:

(1) Section 17, chapter 257, Laws of 1971 1st ex. sess. and RCW 41.16.146; and

(2) Section 18, chapter 257, Laws of 1971 1st ex. sess. and RCW 41.18.105.

NEW SECTION. Sec. 6. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state



government and its existing public institutions, and shall take effect immediately."

Representatives Warnke and Kuehnle spoke in favor of the amendment, and it was adopted.

On motion of Mr. Warnke the following amendment to the title was adopted:

On page 1, line 9 of the title after "41.26.260;" and before "and" insert the following "repealing section 17, chapter 257, Laws of 1971 1st ex. sess. and RCW 41.16.146; repealing section 18, chapter 257, Laws of 1971 1st ex. sess. and RCW 41.18.105;"

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Substitute Senate Bill No. 3194 as amended by the House was placed on final passage.

Mr. Warnke spoke in favor of the bill.

#### POINT OF INQUIRY

Mr. Warnke yielded to question by Mr. Pardini.

Mr. Pardini: "Somebody said that this wasn't going to cost anybody any money, but they were going to get an increase. Could you tell me where the money is going to come from?"

Mr. Warnke: "I think the comment made by Mr. Kuehnle was that there is no impact to state funds in this bill, but the cities have available funds ready to put into this system upon passage of this act."

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3194 as amended by the House, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ekenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Substitute Senate Bill No. 3194 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker called on Mr. Ceccarelli to preside.

ENGROSSED SUBSTITUTE SENATE BILL NO. 2906, by Committee on Ecology (Originally sponsored by Senator Washington):

Providing for noise abatement and control.

The bill was read the second time.

Committee on Ecology recommendation: Majority, do pass as amended. (For amendment, see Journal for thirty-ninth day, 3rd ex. sess., April 22, 1974.)

On motion of Mr. Luders, the committee amendment was adopted.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Substitute Senate Bill No. 2906 as amended by the House was placed on final passage.

#### PARLIAMENTARY INQUIRY

Mr. Eikenberry: "Would it be the Speaker's intention to give the body an opportunity to call for a division before the announcement of the vote is made in future votes?"

The Speaker (Mr. Ceccarelli presiding): "Yes, if you ask for a division before I make the announcement, I will grant that."

#### POINT OF INQUIRY

Mr. Luders yielded to question by Mr. Schumaker.

Mr. Schumaker: "Representative Luders, am I correct in my interpretation of the now new section 8 of this bill, that the Department of Ecology shall not be entitled to exercise its rule-making power with regard to recreational shooting, as well as police, law enforcement and military?"

Mr. Luders: "That is the intention of that section, the intention of the committee that drafted that language, and certainly it is my intention."

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 2906 as amended by the House, and the bill passed the House by the following vote: Yeas, 86; nays, 8; not voting, 4.

Voting yea: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hawkins, Hendricks, Hoggins, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Benitz, Flanagan, Haussler, Hayner, Honan, Kuehnle, Schumaker.

Not voting: Representatives Anderson, May, Rabel, Zimmerman.

Engrossed Substitute Senate Bill No. 2906 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

April 23, 1974

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SENATE BILL NO. 3044 and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. King moved that the House refuse to recede from its amendments and ask the Senate for a conference thereon.

Mr. Brown moved that the House do recede from its amendments.

Mr. Brown spoke in favor of the motion.

Mr. Van Dyk demanded an electric roll call and the demand was sustained.

Mr. King spoke against the motion to recede.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Brown that the House recede from its amendments to Engrossed Senate Bill No. 3044, and the motion was lost by the following vote: Yeas, 38; nays, 54; not voting, 6.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Brown, Cunningham, Curtis, Eikenberry, Ellis,

Flanagan, Freeman, Garrett, Gilleland, Hansey, Haussler, Hayner, Hendricks, Honan, Julin, Kalich, Kishimoto, Kopet, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Thompson, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Blair, Bluechel, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Hawkins, Hoggins, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, McCormick, Moon, North F., Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Jueling, May, O'Brien, Rabel, Zimmerman.

The Speaker (Mr. Ceccarelli presiding) stated that the result of the failure of the motion by Mr. Brown is that the House refuses to recede from its amendments to Engrossed Senate Bill No. 3044 and asks the Senate for a conference thereon.

#### SENATE AMENDMENTS TO HOUSE BILL

April 22, 1974

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1269 with the following amendments:

In line 3 of the title, after "2.08.064" and before the period insert "; and making an appropriation"

After line 15 add the following new section:

"NEW SECTION. Sec. 2. There is hereby appropriated from the state general fund the sum of \$18,400 to implement the purposes of this act."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Knowles, the House concurred in the Senate amendments to House Bill No. 1269.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY THE SENATE

The Speaker (Mr. Ceccarelli presiding) stated the question before the House to be final passage of House Bill No. 1269 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1269 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers,

Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Wanke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Jueling, Julin, Rabel, Zimmerman.

House Bill No. 1269 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SENATE AMENDMENTS TO HOUSE BILL

April 18, 1974

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1183 with the following amendments:

On page 3, line 1 of the title after "RCW 38.52.007" and before the period insert "and enacting the interstate civil defense and disaster compact"

On page 14, section 11, line 14 after "unassisted" and before the period insert "and in furtherance thereof the following interstate civil defense and disaster compact is hereby approved, ratified, adopted, entered into, and enacted by the state of Washington:

INTERSTATE CIVIL DEFENSE AND DISASTER COMPACT

The contracting States solemnly agree:

Article 1. The purpose of this compact is to provide mutual aid among the States in meeting any emergency or disaster from enemy attack or other cause (natural or otherwise) including sabotage and subversive acts and direct attacks by bombs, shellfire, and atomic, radiological, chemical, bacteriological means, and other weapons. The prompt, full and effective utilization of the resources of the respective States, including such resources as may be available from the United States Government or any other source, are essential to the safety, care and welfare of the people thereof in the event of enemy action or other emergency, and any other resources, including personnel, equipment or supplies, shall be incorporated into a plan or plans of mutual aid to be developed among the civil defense agencies or similar bodies of the States that are parties hereto. The Directors of Civil Defense (Emergency Services) of all party States shall constitute a committee to formulate plans and take all necessary steps for the implementation of this compact.

Article 2. It shall be the duty of each party State to formulate civil defense plans and programs for application within such State. There shall be frequent consultation

between the representatives of the States and with the United States Government and the free exchange of information and plans, including inventories of any materials and equipment available for civil defense. In carrying out such civil defense plans and programs the party States shall so far as possible provide and follow uniform standards, practices and rules and regulations including:

(a) Insignia, arm bands and any other distinctive articles to designate and distinguish the different civil defense services;

(b) Blackouts and practice blackouts, air raid drills, mobilization of civil defense forces and other tests and exercises;

(c) Warnings and signals for drills or attacks and the mechanical devices to be used in connection therewith;

(d) The effective screening or extinguishing of all lights and lighting devices and appliances;

(e) Shutting off water mains, gas mains, electric power connections and the suspension of all other utility services;

(f) All materials or equipment used or to be used for civil defense purposes in order to assure that such materials and equipment will be easily and freely interchangeable when used in or by any other party State;

(g) The conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic, prior, during, and subsequent to drills or attacks;

(h) The safety of public meetings or gatherings; and

(i) Mobile support units.

Article 3. ANY party State requested to render mutual aid shall take such action as is necessary to provide and make available the resources covered by this compact in accordance with the terms hereof; provided that it is understood that the State rendering aid may withhold resources to the extent necessary to provide reasonable protection for such State. Each party State shall extend to the civil defense forces of any other party State, while operating within its State limits under the terms and conditions of this compact, the same powers (except that of arrest unless specifically authorized by the receiving State), duties, rights, privileges and immunities as if they were performing their duties in the State in which normally employed or rendering services. Civil defense forces will continue under the command and control of their regular leaders but the organizational units will come under the operational control of the civil defense authorities of the State receiving assistance.

Article 4. Whenever any person holds a license, certificate or other permit issued by any State evidencing the meeting of qualifications for professional, mechanical or other skills, such person may render aid involving such skill in any party State to meet an emergency or disaster and such State shall give due recognition to such license, certificate or other permit as if issued in the State in which aid is rendered.

Article 5. No party State or its officers or employees rendering aid in another State pursuant to this compact shall be liable on account of any act or omission in good

faith on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith.

Article 6. Inasmuch as it is probable that the pattern and detail of the machinery for mutual aid among two or more states may differ from that appropriate among other States party hereto, this instrument contains elements of a broad base common to all States, and nothing herein contained shall preclude any State from entering into supplementary agreements with another State or States. Such supplementary agreements may comprehend, but shall not be limited to, provisions for evacuation and reception of injured and other persons, and the exchange of medical, fire, police, public utility, reconnaissance, welfare, transportation and communications personnel, equipment and supplies.

Article 7. Each party State shall provide for the payment of compensation and death benefits to injured members of the civil defense forces of that State and the representatives of deceased members of such forces in case such members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such State.

Article 8. Any party State rendering aid to another State pursuant to this compact shall be reimbursed by the party State receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost incurred in connection with such requests; provided, that any aiding State may assume in whole or in part such loss, damage, expense, or other cost, or may loan such equipment or donate such services to the receiving party State without charge or cost; and provided further that any two or more party States may enter into supplementary agreements establishing a different allocation of costs as among those States. The United States Government may relieve the party State receiving aid from any liability and reimburse the party State supplying civil defense forces for the compensation paid to and the transportation, subsistence and maintenance expenses of such forces during the time of the rendition of such aid or assistance outside the State and may also pay fair and reasonable compensation for the use or utilization of the supplies, materials, equipment or facilities so utilized or consumed.

Article 9. Plans for the orderly evacuation and reception of the civilian population as the result of an emergency or disaster shall be worked out from time to time between representatives of the party States and the various local civil defense areas thereof. Such plans shall include the manner of transporting such evacuees, the number of evacuees to be received in different areas, the manner in which food, clothing, housing, and medical care will be provided, the registration of the evacuees, the providing of facilities for the notification of relatives or friends and the forwarding of such evacuees to other areas or the bringing in of additional materials, supplies, and all other relevant factors. Such plans shall provide that the party State receiving evacuees shall be reimbursed

generally for the out-of-pocket expenses incurred in receiving and caring for such evacuees, for expenditures for transportation, food, clothing, medicines and medical care and like items. Such expenditures shall be reimbursed by the party State of which the evacuees are residents, or by the United States Government under plans approved by it. After the termination of the emergency or disaster the party State of which the evacuees are resident shall assume the responsibility for the ultimate support or repatriation of such evacuees.

Article 10. This compact shall be available to any State, territory or possession of the United States, and the District of Columbia. The term "State" may also include any neighboring foreign country or province or state thereof.

Article 11. The committee established pursuant to Article 1 of this compact may request the Civil Defense Agency of the United States Government to act as an informational and coordinating body under this compact, and representatives of such agency of the United States Government may attend meetings of such committee.

Article 12. This compact shall become operative immediately upon its ratification by any State as between it and any other State or States so ratifying and shall be subject to approval by Congress unless prior Congressional approval has been given. Duly authenticated copies of this compact and of such supplementary agreements as may be entered into shall, at the time of their approval, be deposited with each of the party States and with the Civil Defense Agency and other appropriate agencies of the United States Government.

Article 13. This compact shall continue in force and remain binding on each party State until the legislature or the Governor of such party State takes action to withdraw therefrom. Such action shall not be effective until 30 days after notice thereof has been sent by the Governor of the party State desiring to withdraw to the Governors of all other party States.

Article 14. This compact shall be construed to effectuate the purposes stated in Article 1 hereof. If any provision of this compact is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to other persons and circumstances shall not be effected thereby.

Article 15.

(a) This Article shall be in effect only as among those states which have enacted it into law or in which the Governors have adopted it pursuant to constitutional or statutory authority sufficient to give it the force of law as part of this compact. Nothing contained in this Article or in any supplementary agreement made in implementation thereof shall be construed to abridge, impair or supersede any other provision of this compact or any obligation undertaken by a State pursuant thereto, except that if its terms so provide, a supplementary agreement in implementation of this Article may modify, expand or add to any such obligation as among the parties to the supplementary agreement.



(b) In addition to the occurrences, circumstances and subject matters to which preceding articles of this compact make it applicable, this compact and the authorizations, entitlements and procedures thereof shall apply to:

1. Searches for and rescue of person who are lost, marooned, or otherwise in danger.

2. Action useful in coping with disasters arising from any cause or designed to increase the capability to cope with any such disasters.

3. Incidents, or the imminence thereof, which endanger the health or safety of the public and which require the use of special equipment, trained personnel or personnel in larger numbers than are locally available in order to reduce, counteract or remove the danger.

4. The giving and receiving of aid by subdivisions of party States.

5. Exercises, drills or other training or practice activities designed to aid personnel to prepare for, cope with or prevent any disaster or other emergency to which this compact applies.

(c) Except as expressly limited by this compact or a supplementary agreement in force pursuant thereto, any aid authorized by this compact or such supplementary agreement may be furnished by any agency of a party State, a subdivision of such State, or by a joint agency providing such aid shall be entitled to reimbursement therefor to the same extent and in the same manner as a State. The personnel of such a joint agency, when rendering aid pursuant to this compact shall have the same rights, authority and immunity as personnel of party States.

(d) Nothing in this Article shall be construed to exclude from the coverage of Articles 1-15 of this compact any matter which, in the absence of this Article, could reasonably be construed to be covered thereby"  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Parker, the House concurred in the Senate amendments to House Bill No. 1183.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. Ceccarelli presiding) stated the question before the House to be final passage of House Bill No. 1183 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1183 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 95; nays, 0; not voting, 3.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson,

Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel, Zimmerman.

House Bill No. 1183 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker announced the appointment of Representatives Bauer, Erickson and Kraabel as members of the conference committee on Engrossed Senate Bill No. 3044.

#### SENATE AMENDMENTS TO HOUSE BILL

April 22, 1974

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 90 with the following amendments:

On page 1, line 5 after "contracts" and before "entered" insert ", including renewals and amendments of existing contracts,"

On page 1, line 12 after "contracts" and before the period insert "regardless of the source of funds"

On page 1, line 13 after "basis" strike "individual" and insert "specific classes of"

On page 1, line 25 strike "not more than five days after" and insert "prior to"

On page 2, line 2 after "committee" insert "and the office of program planning and fiscal management" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Shinpoch moved that the House do concur in the Senate amendments to Substitute House Bill No. 90.

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

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY THE SENATE

The Speaker (Mr. Ceccarelli presiding) stated the question before the House to be final passage of Substitute House Bill No. 90 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 90 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 94; nays, 0; not voting, 4.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, May, Rabel, Zimmerman.

Substitute House Bill No. 90 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTIONS

On motion of Mr. Charette, all bills passed by the House to this point in the proceedings were ordered transmitted immediately to the Senate.

On motion of Mr. Charette, the House recessed until 7:45 p.m.

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EVENING SESSION  
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The House was called to order at 7:45 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Eng, Kalich, Martinis, Matthews, Maxie, McCormick, Rabel and Zimmerman. Representatives Rabel and Zimmerman were excused.

## MESSAGES FROM THE SENATE

April 23, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED THIRD SUBSTITUTE SENATE BILL NO. 2940, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The Senate has concurred in the House amendment to SUBSTITUTE SENATE BILL NO. 3312, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

## STATEMENT BY THE GOVERNOR

April 22, 1974

The efficient functioning of modern society is largely dependent upon effective communication, and the modern methods of communication have come more and more to rest in the hands of secretaries.

The increasing amount of communications inherent in our complex society has made it necessary for today's secretary to acquire technical skills, and to assume the responsibility for countless details in the operation of a business.

Today's secretary must have at command--tact, diplomacy, increasing business and economic knowledge and decision-making ability, in the greater role, the secretary is performing as a member of the management team.

The important contribution made by secretaries in business, government, and the professions of our country has been recognized by designating the last week in April as Secretaries Week and Wednesday, April 24, 1974 as Secretaries Day.

Now, therefore, I, Daniel J. Evans, Governor of the State of Washington, do hereby declare the week of April 21 - 28, 1974 as

## SECRETARIES WEEK

and Wednesday, April 24, 1974 as SECRETARIES DAY, and I urge all citizens to recognize the efforts made by our secretaries in the operation of industry, the professions, and government, which have made them truly silent partners in American business.

(SEAL)

DANIEL J. EVANS,  
Governor.

## MESSAGES FROM THE SENATE

April 23, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 29,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 869,

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

April 23, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 784,

ENGROSSED 3RD SUBSTITUTE HOUSE BILL NO. 1274,

HOUSE BILL NO. 1316,

SUBSTITUTE HOUSE BILL NO. 1366,

SUBSTITUTE HOUSE BILL NO. 1504,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The President has signed:

ENGROSSED HOUSE BILL NO. 1208,

HOUSE BILL NO. 1238,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The President has signed:

SENATE BILL NO. 2156,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 188,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker was about to sign:

SUBSTITUTE HOUSE BILL NO. 29,

SENATE BILL NO. 2156.

The Speaker (Mr. O'Brien presiding) announced the appointment of Representative Hurley to replace Representative Bauer on the conference committee on Senate Bill No. 3024.

## SENATE AMENDMENTS TO HOUSE BILL

April 23, 1974

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 779 with the following amendments:

In line 9 of the title after "RCW 41.32.498;" and before "creating new" add "adding a new section to chapter 41.32 RCW;"

On page 9 following section 5 add a new section as follows:

"NEW SECTION. Sec. 6. There is added to chapter 41.32 RCW a new section to read as follows:

Notwithstanding any other provision of this 1974 act, when the salary of any member as a member of the legislature is increased beyond the amount provided for in Initiative Measure No. 282 then earnable compensation for the purposes of this chapter shall be based solely on the sum of (1) the compensation actually received from the salary for the job from which such leave of absence may have been taken and (2) such member's salary as a legislator during his two highest compensated consecutive years."

Renumber the remaining section consecutively. and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## MOTION

On motion of Mr. Morrison, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 779.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY THE SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 779 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 779 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; nays, 0; not voting, 13.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, May, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Paris, Parker, Patterson, Perry, Polk, Pullen, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, and Mr. Speaker.

Not voting: Representatives Anderson, Berentson, Curtis, Hayner, Kalich, Kraabel, Maxie, McCormick, Pardini, Rabel, Randall, Wojahn, Zimmerman.

Engrossed Substitute House Bill No. 779 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker was about to sign:

SUBSTITUTE HOUSE BILL NO. 90,  
SUBSTITUTE HOUSE BILL NO. 779,  
SUBSTITUTE HOUSE BILL NO. 869,  
HOUSE BILL NO. 1183,  
HOUSE BILL NO. 1269.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the Special Order of Business, ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3042 on second reading.

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

The Speaker called the House to order.

Mr. Charette demanded a Call of the House, and the demand was sustained.

CALL OF THE HOUSE

The Sergeant at Arms was instructed to lock the doors.

The Clerk called the roll and all members were present except Representatives Anderson, Kalich, McCormick, Rabel and Zimmerman.

MOTION

On motion of Mr. Charette, the absent members were excused, and the House proceeded with business under the Call of the House.

MOTION

Mr. Brown moved that the rules be suspended, and the House immediately consider ENGROSSED SENATE BILL NO. 3243 on second reading.

MOTION

Mr. O'Brien moved that the motion by Mr. Brown be laid on the table.

Mr. Pardini demanded an electric roll call and the demand was sustained.

PARLIAMENTARY INQUIRY

Mr. Newhouse: "Does the motion by Mr. O'Brien to lay the motion by Mr. Brown on the table take with it the amendment to the Initiative 276 bill?"

The Speaker: "This is just a procedural motion and would not carry the bill with it."

ROLL CALL

The Clerk called the roll on the motion by Mr. O'Brien to table Mr. Brown's motion, and the motion to table was carried by the following vote: Yeas, 52; nays, 41; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kilbury, King, Laughlin, Luders, Lysen, Martinis, Maxie, May, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Not voting: Representatives Anderson, Kalich, McCormick, Rabel, Zimmerman.

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3042, by Committee on Labor (Originally sponsored by Senators Grant, Connor, Dore, Mardesich and Ridder):

Enacting a state labor-management relations act.

The bill was read the second time.

POINT OF PERSONAL PRIVILEGE

Mr. Benitz: "Mr. Speaker, I just sent my wife to my office to get some files, and she found in my office some young man who she tried to keep in the office to obtain his name. He pushed her aside and left, and I would like to go over and see how many papers are missing, if the House would excuse me that long."

On motion of Mr. Charette, Mr. Benitz was excused from further business under the Call of the House.



POINT OF ORDER

Mr. Morrison: "Mr. Speaker, according to Rule 81 of our House Rules, all bills including a direct appropriation must be referred to the Ways and Means Committee before appearing on the second reading calendar. On page 27 of this bill, section 25, there is a \$192,000 appropriation, and I think that it is essential that this bill be referred to the Committee on Ways and Means for consideration."

SPEAKER'S RULING

The Speaker: "I think your point is well taken and the Speaker does hereby refer Engrossed Second Substitute Senate Bill No. 3042 to the Committee on Ways and Means, Subcommittee on Appropriations."

MOTION

Mr. Charette moved that the Committee on Ways and Means - Appropriations be relieved of Engrossed Second Substitute Senate Bill No. 3042, and the bill be placed immediately on second reading.

Mr. Charette spoke in favor of the motion, and Mr. Newhouse spoke in opposition to it.

Mr. Pardini demanded an electric roll call and the demand was sustained.

Mrs. McCormick appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on the motion by Mr. Charette to relieve the Ways and Means Committee of Engrossed Second Substitute Senate Bill No. 3042, and the motion was carried by the following vote: Yeas, 56; nays, 37; not voting, 5.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North P., O'Brien, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Schumaker, Tilly, Wilson.

Not voting: Representatives Anderson, Benitz, Kalich, Rabel, Zimmerman.

The Speaker stated the question before the House to be Engrossed Second Substitute Senate Bill No. 3042 on second reading.

The bill was read the second time.

Committee on Labor recommendation: Majority do pass as amended. (For amendment, see Journal for thirty-ninth day, 3rd ex. sess., April 22, 1974.)

#### MOTION

Mr. Savage moved that the House do not adopt the committee amendment.

Mr. Savage spoke in favor of the motion.

Mr. Matthews moved that the House do adopt the committee amendment.

Mr. Matthews spoke in favor of his motion, and Mr. Savage spoke against it.

Mr. Charette demanded an electric roll call, and the demand was sustained.

Mr. Kalich appeared within the bar of the House.

Mr. Freeman spoke in favor of the motion to adopt the committee amendment.

#### POINT OF INQUIRY

Mr. Savage yielded to question by Mr. Newhouse.

Mr. Newhouse: "Mr. Savage, I understand that late in March you conducted some hearings on this bill over in Yakima and Spokane. What was the threshold involved in that bill at that time and what kind of a response did it get from the citizens who testified?"

Mr. Savage: "That was a joint meeting between the House and the Senate, and I didn't attend the Spokane meeting. I did attend the Yakima meeting and the threshold was then at 15. The AWB has been supporting 15, the compromise reached in the Senate was down to 5. As far as I know about the response, at no time did labor like the 15. They were saying zero at that time, and Representative King has been chairman of our subcommittee and he went down with the Senate and also attended the Yakima meeting. I think he might respond to that question better than I could, since I didn't attend all of it."

## POINT OF INQUIRY

Mr. King yielded to question by Mr. Morrison.

Mr. Morrison: "We have heard various things about thresholds and now I understand that the zero threshold is not acceptable on your side of the aisle, is that correct?"

Mr. King: "That is correct. We discovered that there is only one state in the nation that has a threshold of 15 of the four that had any threshold at all. That state was West Virginia. We called them and, although their act went into effect 2 years ago, it still has not been implemented. They just fired their director--they have actually had no act at all. We discovered that a threshold of 15 would exclude almost all of the employers and employees in this state who are not now covered by some other act. We decided, in the House, that 15 was far too high. A threshold of 5, that the Senate selected, would cover about half of the employers in the state that are not now covered by some other act or are not now exempt under some other act. It was a compromise position, and I feel, personally, much more comfortable arguing a position of zero, but I feel that at this time in this legislative session our best chance for a very important bill would be to accept the Senate position of 5 as a threshold."

Mr. Morrison spoke against the motion to adopt the committee amendment.

Mr. Benitz appeared within the bar of the House.

Mr. Matthews stated that with the consent of the House, he would withdraw his motion to adopt the committee amendment.

The House objected.

## MOTION

Mr. Pardini moved that the rules be suspended to allow Representative Matthews to withdraw his motion.

The motion failed.

The Speaker stated the question before the House to be the adoption of the committee amendment to Engrossed Second Substitute Senate Bill No. 3042.

## ROLL CALL

The Clerk called the roll on the adoption of the committee amendment to Engrossed Second Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 29; nays, 66; not voting, 3.

Voting yea: Representatives Benitz, Berentson, Cunningham, Curtis, Eikenberry, Freeman, Gilleland, Hansen, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Leckenby, Matthews, Morrison, Nelson,

Newhouse, North L., Pardini, Patterson, Polk, Schumaker, Smith, Tilly, Wilson.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansey, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, line 23 after "and" strike "proscribe" and insert "prohibit"

#### SPEAKER'S INQUIRY

The Speaker: "Representative Kuehnle, in regard to your first amendment on page 1, line 23, I can't quite ascertain the difference between the two words used. Could you draw out the difference so we will know whether or not this amendment has substance? The words are synonymous to me. If the amendment doesn't in any way change the meaning of the act, the Speaker would be inclined to say that it is a frivolous amendment--unless there is a substance to it."

Mr. Kuehnle: "I feel that it is very important that the proper terminology in this bill is used so that anyone can understand what the act means. I would like to point out that on line 16 it says '..that the purpose and policy of this chapter, to proscribe the legitimate rights of the employees and employers...' We get down into lines 22 and 23 where we say '..it is the purpose and policy to protect the rights of individuals and employees in their relations with labor organizations, to define and proscribe practices on the part of labor and management...' Frankly, Mr. Speaker, when I first looked at that I thought it was a typographical error. I thought the word should have been 'prescribed' rather than 'proscribed.' I had never heard of the term 'proscribed.' I then went to the dictionary and I find that 'proscribe' is to 'write before, publish, to publish or post the name of one whose property is forfeited or one condemned to death, to outlaw.' I don't believe, Mr. Speaker, that is what you mean. Therefore, I have suggested that we substitute the word 'prohibit' because the dictionary goes on to say that it can be used to denounce and condemn, to interdict. I then went into the definition of interdict--I didn't want to use that, because I didn't understand that either, and after I got the definition of interdict, I find that is a prohibitory decree, a prohibition--it goes on to say that it is 'punitive censure restraining certain persons from the sacraments, etc.', but essentially it indicates that it means to prohibit. Therefore, I think if we mean prohibit

we should say prohibit and not say 'proscribe' which means to publish or post a name or to outlaw, denounce or condemn."

Mr. Kuehnle spoke in favor of the amendment, and Mr. King spoke against it.

Mr. Julin spoke in favor of the amendment, and Mr. Kuehnle spoke again in favor of its adoption.

Representatives Kraabel and Leckenby spoke in favor of the amendment by Mr. Kuehnle, and Mr. Savage spoke against it.

Mr. Charette demanded the previous question, and the demand was sustained.

The amendment was not adopted on a rising vote.

Mr. Kuehnle moved adoption of the following amendment:  
On page 1, section 1, line 24 following "which are" strike "inimical" and insert "adverse"

#### MOTION

Mr. Hansey moved that SUBSTITUTE SENATE BILL NO. 2017 be made a special order of business for 11:05 p.m.

#### MOTION

On motion of Mr. Charette, the motion by Mr. Hansey was laid on the table.

Mr. Kuehnle spoke in favor of his amendment to page 1, line 24 and Mr. Goltz spoke against it.

The Speaker stated that, with the consent of the House, the votes on all further amendments to Engrossed Second Substitute Senate Bill No. 3042 would be taken by electric roll call.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Kuehnle to page 1, line 24 of Engrossed Second Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 37; nays, 58; not voting, 3.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz,

Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel, Zimmerman.

#### SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 784,  
 THIRD SUBSTITUTE HOUSE BILL NO. 1274,  
 HOUSE BILL NO. 1316,  
 SUBSTITUTE HOUSE BILL NO. 1366,  
 SUBSTITUTE HOUSE BILL NO. 1504.

#### INTERIM COMMITTEE APPOINTMENTS

The Speaker made the following appointments:

Representative Erickson to replace Senator Beck on the American Bicentennial Committee.

Representative Patterson to the Council on Higher Education.

Representative Wilson to the Joint Committee on Nuclear Energy.

Representative Freeman to the State Public Pension Commission.

The House resumed consideration of Engrossed Second Substitute Senate Bill No. 3042 on second reading.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, line 9 after "strife" strike "can" and insert "may"

Mr. Kuehnle spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the amendment by Mr. Kuehnle to page 1, line 9 of Engrossed Second Substitute Senate Bill No. 3042, and the amendment failed to pass the House by the following vote: Yeas, 37; nays, 58; not voting, 3.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King,

Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, section 1, line 11 after "recognize" strike everything down to and including "interest" on line 15 and insert "the legitimate and lawful rights of each other in their reactions with each other, and above all recognize that neither party has any legal right in its relations with the other to engage in acts or practices which jeopardize the public health, safety, or interest"

ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Kuehnle to page 1, line 11 of Engrossed Second Substitute Senate Bill No. 3042, and the amendment failed to pass the House by the following vote: Yeas, 37; nays, 58; not voting, 3.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Mr. Anderson appeared at the bar of the House.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, line 16 after "and" strike "policy" and insert "intent"

ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Kuehnle to page 1, line 16 of Engrossed Second Substitute Senate Bill No. 3042, and the amendment failed to pass the House by the following vote: Yeas, 38; nays, 58; not voting, 2.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry,

Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Rabel, Zimmerman.

Mr. Kuehnle moved adoption of the following amendment:

On page 1, section 1, line 17 following "rights of" and before "employees" strike "both" and after "employees" strike "and" and insert a comma.

Mr. O'Brien spoke against the amendment.

1 Representatives Eikenberry and Kuehnle spoke in favor of the amendment.

Mr. Pardini demanded an oral roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Kuehnle to page 1, line 17 of Engrossed Second Substitute Senate Bill No. 3042, and the amendment failed to pass the House by the following vote: Yeas, 39; nays, 57; not voting, 2.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Goltz, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson, Winsley.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Rabel, Zimmerman.

Mr Patterson moved adoption of the following amendment:

On page 2, line 7 after "state" insert "agency"



POINT OF PARLIAMENTARY INQUIRY

Mr. Julin: "I have two amendments on the desk, one of them deals with the same matter that Representative Patterson is now addressing himself to. Will my amendment be considered after this?"

The Speaker: "Yes, Representative Julin, the Speaker has been going through the amendments to attempt to attain the amendments that have real substance to them and the ones that I feel the members should be listening to and therefore, the other amendments will be considered after we finish with these."

Mr. Julin spoke in favor of Mr. Patterson's amendment.

SPEAKER'S RULING

The Speaker: "Mr. Julin, your remarks are going beyond the amendment that is under debate."

Mr. Julin continued his remarks.

Mr. King spoke against the amendment.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Douthwaite.

Mr. Douthwaite: "For purposes of legislative intent and clarity, is it your understanding that section 2, subsection (2), where it refers to 'employer' exempts university and state colleges from the provisions of the definition of 'employer' in this act?"

Mr. King: "It would be my understanding that they would be exempted, yes."

The Speaker called on Mr. Charette to preside.

Mr. Patterson spoke in favor of the amendment.

POINT OF INQUIRY

Mr. King yielded to question by Mr. Amen.

Mr. Amen: "Representative King, as I understood your comments here, you felt that this should be changed. If you should be back the next session and have anything to do with this, would it be your intention, if it is not changed tonight, to have it changed during the next session?"

Mr. King: "I did not say that it should be changed at any time. I said that if a problem should arise and come to our attention, that we would have ample time in the next session before there would be any problem. In addition to that, I just consulted again with the research assistants in the House and Senate Labor Committees and they said this language has been tested--exactly the same words and the

same issue and the same question--on the federal level and found to not include any governmental subdivisions or organizations. That language was challenged in the courts and upheld by the U.S. Supreme Court. As much as I understand the concern that Representative Patterson has that some faculty members might have the right to bargain, I don't think he has to worry about this act giving them that right."

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Patterson to Engrossed Second Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 42; nays, 54; not voting, 2.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Charnley, Cunningham, Curtis, Douthwaite, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Goltz, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Chatalas, Clemente, Conner, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Rabel, Zimmerman.

Mr. Julin moved adoption of the following amendment:

On page 2, line 7 after "bank" strike down to and including "corporation" on line 10.

#### POINT OF ORDER

Mr. Hoggins: "Mr. Speaker, I have an amendment on the desk to page 2, line 7, inserting some language, and I was wondering if my amendment comes before Representative Julin's? I would like to have the opportunity to place it."

#### SPEAKER'S RULING

The Speaker (Mr. Charette presiding): "It appears to the Speaker that there is no need to take your amendment before Representative Julin's as your amendment would be in order after this one."

Mr. Julin spoke in favor of the amendment.

POINT OF INQUIRY

Mr. Julin yielded to question by Mr. Morrison.

Mr. Morrison: "Just to make sure that I understand the thrust of this particular amendment, would you again explain what groups you were definitely attempting to exempt from this labor relations act?"

Mr. Julin: "I believe the intent of this legislation is to exclude the state of Washington, any political subdivision thereof, or any creature, or any legal entity that has as its source of existence, action by the state of Washington, and that would include the community colleges, the K-12 school districts, the 4-year universities and any other public body."

ROLL CALL

The Clerk called the roll on the amendment by Representative Julin to Engrossed Second Substitute Senate Bill No. 3042, and the amendment failed to pass the House by the following vote: Yeas, 1; nays, 95; not voting, 2.

Voting yea: Representative Goltz.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Leckenby, Luders, Lysen, Martinis, Matthews, Maxie, May, McCormick, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Rabel, Zimmerman.

Mr. Hoggins moved adoption of the following amendment:  
On page 2, line 7 after "bank," insert "or the legislature,"

ROLL CALL

The Clerk called the roll on the amendment by Mr. Hoggins to Engrossed Second Substitute Senate Bill No. 3042, and the amendment failed to pass the House by the following vote: Yeas, 39; nays, 57; not voting, 2.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Schumaker, Tilly, Wilson, Winsley, Wojahn.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Rabel, Zimmerman.

Mr. Leckenby moved adoption of the following amendment:  
On page 2, line 9 after "RCW," insert "or any employer involved in the harvesting of food resources from the ocean,"

Mr. Leckenby spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Leckenby to Engrossed Second Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 38; nays, 58; not voting, 2.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson, Winsley.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Rabel, Zimmerman.

Mr. Julin moved adoption of the following amendment:  
On page 2, line 22 beginning with "but" strike down to and including "laborer," on line 23.

#### PARLIAMENTARY INQUIRY

Mr. Matthews: "Mr. Speaker, I have three amendments on the desk before this particular amendment and I notice that there are several others before this one. I would like to know if they are going to be considered. We normally have gone through these amendments in chronological order and I would like to know if we are going to deviate from that particular pattern?"

The Speaker (Mr. Charette presiding): "Representative Matthews, the Speaker assures you that the amendments you have offered, and the others, will be received and dealt with at the proper time."

PARLIAMENTARY INQUIRY

Mr. Hoggins: "I have an amendment on the desk that strikes the material, the same line that Representative Julin proposes to strike, except that he proposes to strike more language than I propose to strike. I put the amendment on the desk twice and I think my amendment should come before Representative Julin's amendment because it strikes some of the material that Representative Julin is striking."

The Speaker (Mr. Charette presiding): "Your amendment strikes down to and including the 'or' and Representative Julin's amendment strikes down to the 'or' so his amendment should be considered before yours."

Mr. Hoggins: "Mr. Julin's amendment strikes everything except the word 'but' on line 22 and the word 'labor' on line 23. My amendment only strikes three words on line 22 and one word on line 23. If Mr. Julin's amendment is taken first, I do not have an opportunity to place mine."

The Speaker (Mr. Charette presiding): "It is the opinion of the Speaker that after Representative Julin's amendment has been considered, your amendment will be in order to be considered."

Mr. Julin spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Julin to page 2, line 22 of Engrossed Second Substitute Senate Bill No. 3042, and the amendment failed to pass the House by the following vote: Yeas, 25; nays, 71; not voting, 2.

Voting yea: Representatives Barnes, Blair, Bluechel, Brown, Charnley, Cunningham, Eikenberry, Freeman, Gilleland, Hoggins, Juelling, Julin, Kishimoto, Kopet, Kraabel, Leckenby, Matthews, Nelson, North L., Pardini, Patterson, Polk, Schumaker, Tilly, Winsley.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Benitz, Berentson, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kuehne, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Paris, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Rabel, Zimmerman.

Mr. Hoggins moved adoption of the following amendment:

On page 2, beginning on line 22 after "employed" strike all the material down to and including the first "or" on line 23

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Hoggins to Engrossed Second Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 17; nays, 79; not voting, 2.

Voting yea: Representatives Blair, Bluechel, Eikenberry, Freeman, Gilleland, Hoggins, Jueling, Julin, Kishimoto, Kraabel, Leckenby, Matthews, Nelson, North L., Pardini, Patterson, Schumaker.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Honan, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kopet, Kuehnle, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Paris, Parker, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Rabel, Zimmerman.

Mr. Julin moved adoption of the following amendment:

On page 2, line 23 after "laborer," strike down to and including "home," on line 24

ROLL CALL

The Clerk called the roll on the amendment by Representative Julin to page 2, line 23 of Engrossed Second Substitute Senate Bill No. 3042, and the amendment failed to pass the House by the following vote: Yeas, 30; nays, 66; not voting, 2.

Voting yea: Representatives Barnes, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Jueling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Nelson, North L., Pardini, Patterson, Polk, Schumaker, Winsley.

Voting nay: Representatives Adams, Amen, Anderson, Bagnariol, Bauer, Bausch, Bender, Benitz, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, Morrison, Newhouse, North F., O'Brien, Paris, Parker, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Wojahn, and Mr. Speaker.

Not voting: Representatives Rabel, Zimmerman.

Mr. Polk moved adoption of the following amendment:

On page 2, line 25 after "contractor," insert "or any individual within the definition of 'professional employee' in subsection (10)"

Mr. Polk spoke in favor of the amendment, and Mr. Clemente spoke against it.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Polk to Engrossed Second Substitute Senate Bill No. 3042, and the amendment failed to pass by the following vote: Yeas, 35; nays, 61; not voting, 2.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Randall, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kraabel, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Pullen, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Rabel, Zimmerman.

Mr. Pardini moved adoption of the following amendment:

On page 8, line 10 after "To" and before "restrain" insert "interfere with,"

Mr. Pardini spoke in favor of the amendment.

#### POINT OF ORDER

Mr. Amen: "I have an amendment on the desk to page 5, line 11 and we are on page 8 now."

The Speaker (Mr. Charette presiding): "Representative Amen, there are a number of amendments that we have set aside that we are considering now and they will be considered in the order that they are called. Yours will be dealt with later."

#### POINT OF INQUIRY

Mr. Kuehnle asked Representative Savage to yield to question.

Mr. Savage refused to yield.

Mr. Kuehnle asked Mr. King to yield to question.

Mr. King was not on the floor of the House.

Mr. Kuehnle: "Mr. Speaker, I want an answer from somebody. If there is a legitimate reason that these two pieces of language don't coincide, if we are saying that an employer may not interfere with, restrain or coerce then I would like to know why we aren't using the same language under section 9 on page 8. It is repetitious language and in essence it is saying the employee shall and the employee shall not, the employer shall and the employer shall not, and I would like to know why the language differs. Perhaps Representative Curtis could answer the question--he has indicated he thinks he understands the answer."

Mr. Curtis: "If I am incorrect in my understanding someone who is more familiar with the labor laws than I might correct me. My understanding is that as Representative King pointed out earlier this evening this bill before us is patterned very closely after the National Labor Relations Act. When that act was put together it had almost identical sections in it concerning unfair labor practices for employers on one hand and employees on the other. Inadvertently, the words 'interfered with' were left out of the National Labor Relations Act and the unfair labor practices pertaining to employers. When this act was put together the drafters of the act copied it word for word, and as a result left out the two words that Representative Pardini seeks to insert at this point. As has been indicated, this is such a finely tuned instrument, we don't want it to go back to the Senate; we can't perfect the National Labor Relations Act, ours or anything else, even though it is quite obvious to anyone who would look at the two sections that Representative Pardini's amendment should be inserted. Apparently that is the only reason for the deletion of the words in this bill--a mistake in the National Labor Relations Act, and since we have copied it word for word, that is the way it is going to have--"

The Speaker (Mr. Charette presiding): "Representative Curtis, the Speaker believes that he is allowing you to go somewhat afield, so if you will please get back on the track of answering the question. The purpose of yielding to question is not to give a speech on the matter."

#### POINT OF INQUIRY

Mr. Cunningham: "My point of inquiry is that we are standing here and sitting here and debating on a very important labor negotiations act--"

The Speaker (Mr. Charette presiding): "Representative Cunningham, I would assume that by addressing yourself to a point of inquiry, you would be asking a question. Do you have a question you wish to ask of the Speaker?"

Mr. Cunningham: "Definitely. How can people vote on a good faith bargaining bill when they are not even here listening to the debate?"



Mr. Hoggins demanded an oral roll call, and the demand was sustained.

Mr. O'Brien assumed the Chair.

#### ROLL CALL

The Clerk called the roll on the amendment by Mr. Pardini to Engrossed Second Substitute Senate Bill No. 3042:

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Kishimoto, Kopet, Kraabel, Kuehne, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Patterson, Polk, Pullen, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Rabel, Zimmerman.

Mr. Julin refused to vote and the Speaker (Mr. O'Brien presiding) requested the Sergeant at Arms to conduct him from the House Chamber.

Mr. Pardini refused to vote.

#### SPEAKER'S RULING

The Speaker (Mr. O'Brien presiding): "A question has been raised about interrupting a roll call. Rule 42 states that once a roll call has begun it may not be interrupted."

#### PARLIAMENTARY INQUIRY

Mr. Pardini: "Mr. Speaker, in the 1969 session on the 120th day of the second extraordinary session, in the middle of the roll call, Representative Charette refused to vote. At that point in time the roll call was interrupted three times by Mr. Charette, Mr. Sawyer and Mr. Copeland. I believe if you check the Journal of the House you will see that there is precedence for rising or interrupting a roll call vote for a point of inquiry or a point of order. I am asking the Speaker to take a look at that particular Journal and point out to him the new voting machine up on the board that burned out the night Representative Charette refused to vote and we were forced into continuous sessions because of the court ruling on liquor bills that were passed after midnight."

The Speaker (Mr. O'Brien presiding): "Mr. Pardini, I don't know whether your point is well taken or not. The question you are raising was apparently a wrong decision--two wrongs do not make a right. How do you vote?"

#### PARLIAMENTARY INQUIRY

Mr. Pardini: "Why did the Speaker not recognize me for the purpose of continuing debate? That is why I am having difficulty because I was formulating my thoughts in that process, Mr. Speaker, and was going to arrive at a decision as to how to vote."

The Speaker (Mr. O'Brien presiding): "Well, we have a lot of time, you will get an opportunity to speak on the next amendment. How does Mr. Pardini vote?"

The House was at ease for the purpose of a minority caucus.

The House was called to order by the Speaker (Mr. O'Brien presiding).

Representatives Julin and Pardini voted "Yea."

The Speaker (Mr. O'Brien presiding) announced the amendment by Mr. Pardini to Engrossed Second Substitute Senate Bill No. 3042 had failed by the following vote: Yeas, 38; nays, 58; not voting, 2.

#### MOTION

On motion of Mr. Charette, Mr. Anderson was excused from further business under the Call of the House.

#### PARLIAMENTARY INQUIRY

Mr. Curtis: "Would you inform the body by which rule of the House, Joint Rules or Constitutional authority Representative Julin was ejected from the House Chamber?"

The Speaker (Mr. O'Brien presiding): "The Speaker refers Mr. Curtis to Reed's Rule 225. 'Duty of the presiding officer in cases where debate and parliamentary motions are employed to create disorder and impede business.' Under this instance Mr. Julin was impeding the House business, and under the authority granted to presiding officers, which contains great power over debate and decorum, I felt that to maintain decorum in the House of Representatives it was necessary to remove Mr. Julin from the Chamber."

#### MESSAGES FROM THE SENATE

April 23, 1974

Mr. Speaker:

The Senate has concurred in the House amendment to Engrossed Substitute Senate Bill No. 2906 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The Senate concurred in the House amendments to Substitute Senate Bill No. 3194 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to Engrossed Substitute Senate Bill No. 3253 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1183,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 90,

SUBSTITUTE HOUSE BILL NO. 779,

HOUSE BILL NO. 1269,

HOUSE BILL NO. 1316,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2906,

THIRD SUBSTITUTE SENATE BILL NO. 2940,

SUBSTITUTE SENATE BILL NO. 3312,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 29,

SUBSTITUTE HOUSE BILL NO. 869,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 2562,

SENATE BILL NO. 3062,

SUBSTITUTE SENATE BILL NO. 3200,

SENATE BILL NO. 3380,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The President has signed:  
SUBSTITUTE SENATE BILL NO. 3253,  
and the same is herewith transmitted.  
Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The President has signed:  
SUBSTITUTE SENATE BILL NO. 3194,  
and the same is herewith transmitted.  
Sidney R. Snyder, Secretary.

The Speaker stated the question before the House to be Engrossed Second Substitute Senate Bill No. 3042 on second reading.

Mr. Cunningham moved adoption of the following amendment:

On page 2, line 24 after "home," and before "or" insert "or any individual employed less than 25 hours per week,"

Mr. Cunningham spoke in favor of the amendment, and Mr. King spoke against it.

Representatives Curtis and Tilly spoke in favor of the amendment.

## POINT OF INQUIRY

Mr. King yielded to question by Mr. Hoggins.

Mr. Hoggins: "Representative King, my memory is not very good on unemployment compensation. I am trying to remember--there are several tests to qualify for unemployment compensation and one of the tests is the number of hours that an individual has worked each quarter as well as the dollar amount. I seem to remember a figure of 1500 hours in a quarter. Is that number accurate?"

Mr. King: "I don't recall at this late hour, either. If we hadn't been kept here so long with this series of amendments to a bill that is very important to thousands of workers in this state--I'm sorry, I just can't remember."

Mr. Hoggins spoke in favor of the amendment, and Mr. King spoke against it.

The Speaker assumed the Chair.

## ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Cunningham to page 2, line 24 of Engrossed Second Substitute Senate Bill No. 3042, and the amendment failed to pass the House by the following vote: Yeas, 41; nays, 54; not voting, 3.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Randall, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Mr. Cunningham moved adoption of the following amendment:

On page 12, line 7 add a new subsection as follows:

"(9) To induce or encourage the employees of an employer to engage in a strike or concerted refusal in the course of their employment, or by any means to force or require an employer or any one or more employees to refrain from or prevent the use of any labor saving device, equipment, material, tool, or instrument in the performance of any task, job, work or service, or to demand or require any stand-in employee to be hired or employed by an employer for any purpose not required by the employer or necessary for the work of the employer."

Mr. Cunningham spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the amendment by Mr. Cunningham to page 12, line 7 of Engrossed Second Substitute Senate Bill No. 3042, and the amendment failed to pass the House by the following vote: Yeas, 46; nays, 49; not voting, 3.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Conner, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, McCormick, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Randall, Schumaker, Tilly, Wilson, Winsley, Wojahn.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Haussler, Hawkins, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, Moon, North F., O'Brien, Parker, Perry, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel,  
Zimmerman.

Mr. Cunningham moved adoption of the following amendment:

On page 12, line 7 add a new subsection as follows:

"(9) To coerce or intimidate an employee in the enjoyment of his legal rights, including those provided by this act, or to intimidate his family, picket his domicile, or injure the person or property of such employee or his family."

Mr. Cunningham spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Mr. Cunningham to page 12, line 7 of Engrossed Second Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 40; nays, 55; not voting, 3.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jueling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Patterson, Polk, Pullen, Randall, Schumaker, Tilly, Wilson.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Perry, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel,  
Zimmerman.

Mr. Curtis moved adoption of the following amendment:

On page 16, line 32 after "it" strike all material through "thereof" on line 6 of page 17 and insert the following: "determines that the petition is valid it shall direct an election by secret ballot, certify the results thereof and certify as exclusive representative the labor organization for which the majority of the employees within the unit shall have voted if the majority shall vote for representation by any labor organization"

Mr. Curtis spoke in favor of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Curtis to Engrossed Second Substitute Senate Bill No. 3042, and the amendment was not adopted by the following vote: Yeas, 41; nays, 54; not voting, 3.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kalich, Kishimoto, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Randall, Schumaker, Tilly, Wilson, Winsley.

Voting nay: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Parker, Perry, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel, Zimmerman.

Mr. Berentson moved adoption of the following amendment:

On page 2, line 14 after "having" strike "five" and insert "seven"

Representatives Berentson and Kraabel spoke in favor of the amendment, and Mr. Freeman spoke against it.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Berentson to Engrossed Second Substitute Senate Bill No. 3042, and the amendment failed to pass the House by the following vote: Yeas, 25; nays, 70; not voting, 3.

Voting yea: Representatives Amen, Benitz, Berentson, Blair, Curtis, Eikenberry, Gilleland, Hansey, Hayner, Juelling, Julin, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Polk, Pullen, Schumaker, Tilly.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Bender, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Kishimoto, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, McCormick, Moon, North F., O'Brien, Paris, Parker, Patterson, Perry, Randall, Savage, Shipoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Rabel, Zimmerman.

SPEAKER'S RULING

The Speaker: "The Speaker has had the opportunity to go through the various amendments still before us on the desk and I find that similar amendments go all the way from

15 up to 100, and I find that the amendments want to exempt various and many items. Going through the amendments I find that the amendments are not substantive to the matter before us and, therefore, they are delaying the work and business of this body. I am going to decline to place these motions and we will proceed with the bill."

#### MOTION

Mr. Conner moved that the rules be suspended, the second reading considered the third, and Engrossed Second Substitute Senate Bill No. 3042 be placed on final passage.

#### POINT OF ORDER

Mr. Amen: "Mr. Speaker, I have an amendment on page 5, and I think it is an amendment that should be considered."

The Speaker: "I think that might very well be true if we hadn't had the entire action of some 2 hours here, in which I think the Speaker has given a valid opportunity for serious amendments and a valid opportunity for this bill to be thoroughly discussed and thoroughly taken up by the body. There have been enough abuses in my mind that it is now time to move forward with business of the House, so that the House can truly consider the matter before us. I regret very much having to take this action. I think I have been more than patient and I think the House was been more than patient. We have made a real attempt to allow what, we were hoping, would be meaningful amendments and proper roll calls."

Mr. Amen: "Mr. Speaker, I put this up there as a serious amendment. I thought that it was an amendment that should be considered because most of these commissions that I know of that we have in the state are \$25 to \$40, and here we have one at \$50 plus the per diem and expenditures, and I think that this is a little high. Especially when we have an \$192,000 appropriation on this."

The Speaker: "I certainly have taken that under consideration, and I realize that by taking this motion some amendments would come, in some circumstances, under the meaning of meaningful amendments, but if I may read to you from Reed's Rule 225: 'It sometimes happens that in the forgetfulness of temper and of party feeling the very processes of the assembly created to transact business are so abused as to be in themselves disorder. In that event the presiding officer should disregard such proceedings, after he has become entirely satisfied of their nature, and put only such motions as will expedite the declaration of the will of the assembly.' I consider the only motion that will expedite the will of the assembly is the motion to advance this to third reading. And that's the motion before you."



## POINT OF PERSONAL PRIVILEGE

Mr. Curtis: "I have two amendments left on the desk, one deals with hindering or preventing by mass picketing, a threat, intimidation, force, or coercion, the pursuit of any lawful work or employment to obstruct, interfere with entrance or egress of any place of employment, etc. The other deals with the duty of the Senate in confirming the appointees to the board. Mr. Speaker, if you want to rule those amendments out of order as frivolous, that's your privilege because you are the presiding officer and you have the gavel, but quite honestly, my motives in offering these two amendments, as well as some of the others, are sincere and for you to rule those out of order I would consider to be impugning my motives. I object as strenuously and vociferously as I can to that type of arbitrary, dictatorial action."

The Speaker: "Representative Curtis, I certainly appreciate your feelings and will take them under advisement, but I have to treat this thing not as an individual, but on the whole, and on the whole it is perfectly obvious that the will of the majority to proceed in an orderly fashion, and the following of varied reasonable rules and orderly procedures are being violated. Therefore the motion to be put, in my judgment, is the motion to advance the bill to third reading."

## POINT OF PERSONAL PRIVILEGE

Mr. Pardini: "Mr. Speaker, I also have an amendment on the desk to page 8, line 18 which is not a frivolous amendment. It is an amendment that is so serious that the Governor of the state of Washington called down to the head of the United Labor Lobby, Mr. Davis, who is sitting up in the gallery this afternoon, and informed Mr. Davis that unless some consideration was given to this amendment there is a high degree of probability of a gubernatorial veto of this bill. I find it very, very difficult, Mr. Speaker, when that kind of conversation has gone on this afternoon, that you can take that kind of action and say that this is a frivolous amendment. I would hope that you will sincerely reconsider your action and place an amendment of that stature before this body."

The Speaker: "Would you then be satisfied with the next motion to advance, Mr. Pardini?"

Mr. Pardini: "Mr. Speaker, I--"

The Speaker: "That's what I felt. Now, Representative Pardini, I realize that some amendments probably should have been brought before this body, but I also remember the conduct where many people delayed voting for a long period of time and I remember watching and I couldn't understand the conduct if we wanted to proceed with the orderly conduct of this thing. I also realize that it is legislative maneuvering that has been done before, etc. I think we do have legislative business before us that needs

to be done, along with this legislative business, and we have to proceed with the winding up of our legislative business at this time. Therefore, it is in my judgement that the actions and the motions that were before us were going to impede the orderly process of the House. The question before the House is the motion to advance this bill to third reading and final passage."

Mr. Kuehnle spoke against the motion.

#### ADMONITION BY THE SPEAKER

The Speaker: "Mr. Kuehnle, your point is well taken, but you are going a little far afield. What we really are talking about is the motion to advance."

Mr. Kuehnle continued his remarks in opposition to the motion.

The motion was carried, and Engrossed Second Substitute Senate Bill No. 3042 was placed on final passage.

Debate ensued, Representatives Pardini and Curtis speaking against the bill.

Mr. Eikenberry demanded an oral roll call, and the demand was sustained.

Representatives Cunningham, Morrison, Schumaker, Freeman and Newhouse spoke in opposition to the bill.

Mr. Charette demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3042, and the bill failed to pass the House by the following vote: Yeas, 45; nays, 50; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hawkins, Hurley, Johnson, Kilbury, King, Laughlin, Luders, Lysen, Martinis, Maxie, May, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Charette, Cunningham, Curtis, Eikenberry, Ellis, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Jastad, Juelling, Julin, Kalich, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Leckenby, Matthews, McCormick, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Shinpoch, Tilly, Wilson, Winsley, Wojahn.

Not voting: Representatives Anderson, Rabel, Zimmerman.

MOTION FOR RECONSIDERATION

Mr. Charette, having voted on the prevailing side, moved that the House now reconsider the vote by which Engrossed Second Substitute Senate Bill No. 3042 failed to pass the House.

Mr. Charette spoke in favor of the motion, and Mr. Eikenberry spoke against it.

ROLL CALL

The Clerk called the roll on the motion by Mr. Charette that the House reconsider the vote by which Engrossed Second Substitute Senate Bill No. 3042 failed to pass the House, and the motion was carried by the following vote: Yeas, 49; nays, 46; not voting, 3.

Voting yea: Representatives Adams, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hawkins, Jastad, Johnson, Kalich, Kilbury, King, Laughlin, Luders, Lysen, Martinis, Maxie, May, Moon, North F., O'Brien, Parker, Perry, Randall, Savage, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Juelling, Julin, Kishimoto, Knowles, Kopet, Kraabel, Kuehne, Leckenby, Matthews, McCormick, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Shipoch, Tilly, Wilson, Winsley.

Not voting: Representatives Anderson, Rabel, Zimmerman.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SUBSTITUTE SENATE BILL NO. 2562,  
 SUBSTITUTE SENATE BILL NO. 2906,  
 THIRD SUBSTITUTE SENATE BILL NO. 2940,  
 SENATE BILL NO. 3062,  
 SUBSTITUTE SENATE BILL NO. 3194,  
 SUBSTITUTE SENATE BILL NO. 3200,  
 SUBSTITUTE SENATE BILL NO. 3253,  
 SUBSTITUTE SENATE BILL NO. 3312,  
 SENATE BILL NO. 3380.

MOTIONS

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

On motion of Mr. Charette, the House adjourned until 10:30 a.m., Wednesday, April 24, 1974.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

FORTY-FIRST DAY

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MORNING SESSION

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House Chamber, Olympia, Wash., Wednesday, April 24, 1974.

The House was called to order at 10:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Charnley, Leckenby, Rabel and Zimmerman, who were excused.

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

MESSAGES FROM THE SENATE

April 23, 1974

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 784,  
THIRD SUBSTITUTE HOUSE BILL NO. 1274,  
SUBSTITUTE HOUSE BILL NO. 1366,  
SUBSTITUTE HOUSE BILL NO. 1504,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The Senate concurred in the House amendments to SENATE BILL NO. 3169 and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The President has signed:

SENATE BILL NO. 3169,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 3102,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:  
SENATE BILL NO. 3169.

The Speaker called on Mr. May to preside.

SENATE AMENDMENTS TO HOUSE BILL

April 23, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1 with the following amendments:

On page 8, line 9 add a new subsection as follows:

"(29) Sales of returnable containers for beverages and foods, including but not limited to soft drinks, milk, beer, and mixers."

On page 14, line 2 add a new subsection as follows:

"(24) In respect to the use of returnable containers for beverages and foods, including but not limited to soft drinks, milk, beer, and mixers."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Randall moved that the House do not concur in the Senate amendments to Engrossed House Bill No. 1, and ask them to recede therefrom.

Mr. Newhouse moved that the House do concur in the Senate amendments.

Mr. Newhouse spoke in favor of the motion to concur, and Mr. Randall spoke against it.

Mr. Morrison demanded an electric roll call, and the demand was sustained.

Mr. Curtis spoke in favor of the motion, and Representatives Randall and Bagnariol spoke against it.

ROLL CALL

The Clerk called the roll on the motion by Mr. Newhouse that the House concur in the Senate amendments to Engrossed House Bill No. 1, and the motion was carried by the following vote: Yeas, 69; nays, 22; not voting, 7.

Voting yeas: Representatives Adams, Amen, Barnes, Bauer, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Clemente, Cunningham, Curtis, Douthwaite, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Luders, Martinis, Matthews, Moon, Morrison, Newhouse, North F., North L., Pardini, Paris, Patterson, Perry, Polk,

Pullen, Savage, Schumaker, Smith, Thompson, Tilly, Valle, Warnke, Wilson, Winsley.

Voting nay: Representatives Anderson, Bagnariol, Bausch, Blair, Chatalas, Conner, Ehlers, Hansen, Haussler, Kilbury, Lysen, Maxie, May, O'Brien, Parker, Randall, Shinpoch, Sommers, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Not voting: Representatives Charnley, Kraabel, Leckenby, McCormick, Nelson, Rabel, Zimmerman.

The Speaker (Mr. May presiding) stated the question before the House to be Engrossed House Bill No. 1 as amended by the Senate on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Charnley, Leckenby, McCormick, Rabel, Zimmerman.

Engrossed House Bill No. 1 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### POINT OF PERSONAL PRIVILEGE

Mr. Newhouse: "I note that we can stop the clocks and try to fool the calendar, but we sure can't fool the computers. Our Status of Bills this morning is for the forty-first day."

#### POINT OF PERSONAL PRIVILEGE

Mr. Pardini: "Mr. Speaker, with the passage of Engrossed House Bill No. 1, I am sure that all of the members of this body commend you for introducing that bill--your diligence, your perseverance, your patience. Congratulations to you for what you have done, Mr. May."

(Applause)

## SENATE AMENDMENTS TO HOUSE BILL

April 23, 1974

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 670 with the following amendments:

On page 1, after the enacting clause strike the remainder of the bill and insert the following:

"NEW SECTION. Section 1. For the purposes of this 1974 amendatory act the following definitions shall apply:

(1) 'Authority' means the county transportation authority created pursuant to this 1974 amendatory act.

(2) 'Population' means the number of residents as shown by the figures released for the most recent official state, federal, or county census, or population determination made by the office of program planning and fiscal management.

(3) 'Public transportation function' means the transportation of passengers and their incidental baggage by means other than by chartered bus, sightseeing bus, or any other motor vehicle now on an individual fare-paying basis, together with the necessary passenger terminals and parking facilities or other properties necessary for passenger and vehicular access to and from such people-moving systems: PROVIDED, That nothing shall prohibit an authority from leasing its buses to private certified carriers or prohibit the county from providing school bus service.

NEW SECTION. Sec. 2. Every county, except a county in which a metropolitan municipal corporation is performing the function of public transportation on the effective date of this 1974 amendatory act, is authorized to create a county transportation authority which shall perform the function of public transportation. Such authority shall embrace all the territory within a single county and all cities and towns therein.

NEW SECTION. Sec. 3. Every county which undertakes the transportation function pursuant to section 2 of this 1974 amendatory act shall create by resolution of the county legislative body a county transportation authority which shall be composed as follows:

(1) The elected officials of the county legislative body, not to exceed three such elected officials;

(2) The mayor of the most populous city within the county;

(3) The mayor of a city with a population less than five thousand, to be selected by the mayors of all such cities within the county.

(4) The mayor of a city with a population greater than five thousand, excluding the most populous city, to be selected by the mayors of all such cities within the county: PROVIDED, HOWEVER, That if there is no city with a population greater than five thousand, excluding the most populous city, then the sixth member who shall be an elected official, shall be selected by the other two mayors selected pursuant to subsections (2) and (3) of this section.

The members of the authority shall be selected within sixty days after the date of the resolution creating such authority.

Any member of the authority who is a mayor or an elected official selected pursuant to subsection (4) above and whose office is not a full time position shall receive one hundred dollars for each day attending official meetings of the authority.

NEW SECTION. Sec. 4. Every county transportation authority created to perform the function of public transportation pursuant to section 2 of this 1974 amendatory act shall have the following powers:

(1) To prepare, adopt, carry out, and amend a general comprehensive plan for public transportation service.

(2) To acquire by purchase, condemnation, gift or grant and to lease, construct, add to, improve, replace, repair, maintain, operate and regulate the use of any transportation facilities and properties, including terminal and parking facilities, together with all lands, rights of way, property, equipment and accessories necessary for such systems and facilities.

(3) To fix rates, tolls, fares and charges for the use of such facilities and to establish various routes and classes of service.

(4) In the event a county transit authority shall extend its transportation function to any area in which service is already offered by any company holding a certificate of public convenience and necessity from the Washington utilities and transportation commission under RCW 81.68.040, it may acquire by purchase or condemnation at the fair market value, from the person holding the existing certificate for providing the services, that portion of the operating authority and equipment representing the services within the area of public operation, or it may contract with such person or corporation to continue to operate such service or any part thereof for time and upon such terms and conditions as provided by contract.

(5) (a) To contract with the United States or any agency thereof, any state or agency thereof, any metropolitan municipal corporation, any other county, city, special district, or governmental agency and any private person, firm or corporation for the purpose of receiving gifts or grants or securing loans or advances for preliminary planning and feasibility studies, or for the design, construction, operation, or maintenance of transportation facilities; and

(b) To contract with any governmental agency or with any private person, firm or corporation for the use by either contracting party of all or any part of the facilities, structures, lands, interests in lands, air rights over lands and rights of way of all kinds which are owned, leased or held by the other party and for the purpose of planning, constructing or operating any facility or performing any service related to transportation which the county is authorized to operate or perform, on such terms as may be agreed upon by the contracting parties: PROVIDED, That before any contract for the lease or operation of any transportation facilities shall be let to



any private person, firm or corporation, competitive bids shall first be called for and contracts awarded in accord with the procedures established in accord with RCW 36.32.240, 36.32.250, and 36.32.270.

(6) In addition to all other powers and duties, an authority shall have the power to own, construct, purchase, lease, add to, and maintain any real and personal property or property rights necessary for the conduct of the affairs of the authority. An authority may sell, lease, convey or otherwise dispose of any authority real or personal property no longer necessary for the conduct of the affairs of the authority. An authority may enter into contracts to carry out the provisions of this section.

NEW SECTION. Sec. 5. The authority shall elect a chairman, and appoint a general manager who shall be experienced in administration, and who shall act as executive secretary to, and administrative officer for the authority. He shall also be empowered to employ such technical and other personnel as approved by the authority. The general manager shall be paid such salary and allowed such expenses as shall be determined by the authority. The general manager shall hold office at the pleasure of the authority, and shall not be removed until after notice is given him, and an opportunity for a hearing before the authority as to the reason for his removal.

NEW SECTION. Sec. 6. Each authority shall establish a fund to be designated as the 'transportation fund', in which shall be placed all sums received by the authority from any source, and out of which shall be expended all sums disbursed by the authority. The county treasurer shall be the custodian of the fund, and the county auditor shall keep the record of the receipts and disbursements, and shall draw and the county treasurer shall honor and pay all warrants, which shall be approved before issuance and payment as directed by the authority.

The county and each city or town which is included in the authority shall contribute such sums towards the expense for maintaining and operating the authority as shall be agreed upon between them.

Every year at the conclusion of its fiscal year each authority shall submit a report, which shall conform to the requirements of the state auditor as provided in RCW 43.09.230, to the senate and house of representatives transportation and utilities committees of the legislature.

NEW SECTION. Sec. 7. The authority shall adopt a public transportation plan. Such plan shall conform to the plan requirements of any federal law or regulation, compliance with which is required for federal public transportation assistance. Such plan shall be a general comprehensive plan designed to best serve the residents of the entire county. Prior to adoption of the plan, the authority shall provide a minimum of sixty days during which sufficient hearings shall be held to provide interested persons an opportunity to participate in development of the plan.

NEW SECTION. Sec. 8. On the effective date of the proposition approved by the voters in accord with section 10 of this 1974 amendatory act, the authority shall have and exercise all rights with respect to the construction,

acquisition, maintenance, operation, extension, alteration, repair, control and management of passenger transportation which the county or any city located within such county shall have been previously empowered to exercise and such powers shall not thereafter be exercised by the county or such cities without the consent of the authority. The county and all cities within such county upon demand of the authority shall transfer to the authority all unexpended funds earmarked or budgeted from any source for public transportation, including funds receivable. The county in which an authority is located shall have the power to contract indebtedness and issue bonds pursuant to chapter 36.67 RCW to enable the authority to carry out the purposes of this 1974 amendatory act, and the purposes of this act shall constitute a 'county purpose' as that term is used in chapter 36.67 RCW.

NEW SECTION. Sec. 9. A county transportation authority may acquire any existing transportation system by conveyance, sale, or lease. In any purchase from a county or city, the authority shall receive credit from the county or city for any federal assistance and state matching assistance used by the county or city in acquiring any portion of such system. The authority shall assume and observe all existing labor contracts relating to such system and, to the extent necessary for operation of facilities, all of the employees of such acquired transportation system whose duties are necessary to operate efficiently the facilities acquired shall be appointed to comparable positions to those which they held at the time of such transfer, and no employee or retired or pensioned employee of such systems shall be placed in any worse position with respect to pension seniority, wages, sick leave, vacation or other benefits that he enjoyed as an employee of such system prior to such acquisition. The authority shall engage in collective bargaining with the duly appointed representatives of any employee labor organization having existing contracts with the acquired transportation system and may enter into labor contracts with such employee labor organization.

NEW SECTION. Sec. 10. There is added to chapter 94, Laws of 1970 ex. sess. and to chapter 82.14 RCW a new section to read as follows:

Any county in which a plan has been adopted pursuant to section 7 of this 1974 amendatory act may by resolution, for the sole purpose of providing funds for the operation, maintenance or capital needs of county public transportation, submit an authorizing proposition to the voters and if approved by a majority of persons voting thereon, fix and impose a sales and use tax. Such tax shall be in addition to the tax authorized by RCW 82.14.030 and shall be collected from those persons who are taxable by the state pursuant to chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within such county. The proceeds of such tax shall be deposited in the transportation fund created pursuant to section 6 of this act. The rate of such tax imposed by such county shall be three-tenths of one percent of the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax): PROVIDED, That such tax shall expire

on June 30, 1979: PROVIDED FURTHER, That no authority may issue general obligation bonds which are secured by or payable from a sales and use tax imposed pursuant to this chapter.

In the event the county shall impose a sales and use tax pursuant to this section, no city, town, or metropolitan municipal corporation located within the territory of the authority shall be empowered to levy and/or collect taxes pursuant to RCW 35.58.273, 35.95.040, and/or 82.14.045.

Sec. 11. Section 35.58.030, chapter 7, Laws of 1965 and RCW 35.58.030 are each amended to read as follows:

Any area of the state located in a class AA county and containing two or more cities, at least one of which is a city of the first class, may organize as a metropolitan municipal corporation for the performance of certain functions, as provided in this chapter.

NEW SECTION. Sec. 12. There is added to Title 36 RCW a new chapter to read as set forth in sections 1 through 9 of this 1974 amendatory act.

NEW SECTION. Sec. 13. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

On page 1, in line 1 of the title after "transportation;" strike the remainder of the title and insert "amending section 35.58.030, chapter 7, Laws of 1965 and RCW 35.58.030; adding a new section to chapter 94, Laws of 1970 ex. sess. and to chapter 82.14 RCW; and adding a new chapter to Title 36 RCW." and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Perry moved that the House concur in the Senate amendments to Substitute House Bill No. 670.

Representatives Perry and Nelson spoke in favor of the motion.

The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. May presiding) stated the question before the House to be the final passage of Substitute House Bill No. 670 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 670 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 83; nays, 8; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner,

Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Anderson, Benitz, Ellis, Flanagan, Garrett, Kraabel, Morrison, Newhouse.

Not voting: Representatives Charnley, Julin, Kuehne, Leckenby, McCormick, Rabel, Zimmerman.

Substitute House Bill No. 670 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. O'Brien assumed the Chair.

#### SENATE AMENDMENT TO HOUSE BILL

April 23, 1974

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 867 with the following amendment:

Beginning on line 15 add the following new sections:

"NEW SECTION. Sec. 2. Where urban arterial trust account funds were authorized by the State Urban Arterial Board for specific arterial projects, and in those cases where the initial authorization of the project occurred during the 1967-69 and 1969-71 biennial periods, such trust account funds shall remain obligated to such projects for the period through June 30, 1975.

NEW SECTION. Sec. 3. The Senate and House Standing Committees on Transportation and Utilities shall review the fiscal effect of irrevocably committing state funds to specific projects during such period as all possible litigation under the National Environmental Policy Act, the State Environmental Policy Act, the Shoreline Management Act, or other federal or state litigation has been resolved, and report their findings and recommendations to the 1975 legislature."

Renumber the remaining section consecutively. and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

#### MOTION

Mr. Ceccarelli moved that the House concur in the Senate amendment to Substitute House Bill No. 867.

The motion was carried.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 867 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 867 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 89; nays, 1; not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Kalich, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representative North F.

Not voting: Representatives Bluechel, Charnley, Julin, Kopet, Leckenby, McCormick, Rabel, Zimmerman.

Substitute House Bill No. 867 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

April 22, 1974

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1037 with the following amendments:

On page 3, line 23 after "number" insert "for each location from which the licensee intends to operate"

On page 3, line 24 after "agriculture." and before "permanent" insert "Each such"

On page 3, line 25 after "eggs" insert "showing the location where"

On page 4, line 16 after "number" insert "or numbers"

On page 7, line 19 after "director." strike the remainder of the section.

On page 9, line 3 after "established." insert a new section as follows:

"NEW SECTION. Sec. 12. The costs of conducting any audit provided for in this act shall be borne in full by the dealer if the dealer's report and payment of the assessments due is two percent or more under what the audit shows is actually due."

Renumber the remaining sections consecutively.

On page 11, following section 17, line 28 strike all of section 18.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Kilbury, the House concurred in the Senate amendments to Substitute House Bill No. 1037.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1037 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1037 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehne, Laughlin, Luders, Lysen, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shipoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Bluechel, Charnley, Kopet, Leckenby, Martinis, McCormick, Rabel, Zimmerman.

Substitute House Bill No. 1037 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

April 23, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1181 with the following amendments:

On line 3 of the title after "RCW;" strike "and" and on line 5 after "79.01.484" insert "; and declaring an emergency"

Strike everything after the enacting clause and insert the following:

"Section 1. Section 2, chapter 217, Laws of 1971 ex. sess. and RCW 79.01.470 are each amended to read as follows:

(1) This section shall only apply to:

- (a) First class tidelands as defined in RCW 79.01.020;
- (b) Second class tidelands as defined in RCW 79.01.024;
- (c) First class shorelands as defined in RCW 79.01.028; and
- (d) Second class shorelands as defined in RCW 79.01.032.

(e) Waterways as described in RCW 79.01.428.

(2) Notwithstanding any other provision of law, from and after August 9, 1971, all tidelands and shorelands enumerated in subsection (1) owned by the state of Washington shall not be sold except to public entities as may be authorized by law or except as provided in section 2 of this 1974 amendatory act, and shall not be given away.

(3) Tidelands and shorelands enumerated in subsection (1) may be leased for a period not to exceed fifty-five years: PROVIDED, That nothing herein shall be construed as modifying or canceling any outstanding lease during its present term.

(4) Nothing herein shall:

- (a) be construed to cancel an existing sale contract;
- (b) prohibit sale or exchange of beds and shorelands where the water course has changed and the area now has the characteristics of uplands;
- (c) prevent exchange involving state-owned tide and shorelands.

NEW SECTION. Sec. 2. There is added to chapter 79.01 RCW a new section to read as follows:

An owner of property fronting upon publicly owned second class shorelands on freshwater navigable lakes who has constructed on the abutting shorelands an improvement having a replacement value of more than four hundred dollars prior to January 1, 1974 may apply for and shall upon such application be afforded the opportunity, prior to June 30, 1975, to purchase at the fair market value the abutting second class shoreland or so much as may be sufficient for the maintenance and use of such improvements unless the public interest is best served by maintaining such shoreland in state ownership for the benefit of the people of the state. It is recognized that the best public interest may be served by offering the second class shoreland for sale. If the board determines that it is not in the best public interest to offer one or more parcels of such second class shorelands for sale, the board shall state, in the notice to such applicant denying the sale, the specific reasons for so determining and shall provide for an opportunity for a "contested case" hearing of the decision in accordance with chapter 34.04.RCW if a hearing is requested within thirty days from the receipt of the notice.

NEW SECTION. Sec. 3. There is added to chapter 79.01 RCW a new section to read as follows:

Nothing in this 1974 act shall be construed to prevent the assertion of public ownership rights in publicly owned

aquatic lands or the leasing of such lands when such leasing is not contrary to the statewide public interest.

The department of natural resources may require the payment of a use and occupancy fee in lieu of a lease where improvements have been placed without authorization on publicly owned aquatic lands.

NEW SECTION. Sec. 4. Section 121, chapter 255, Laws of 1927, section 1, chapter 54, Laws of 1969 ex. sess. and RCW 79.01.484 are each hereby repealed.

NEW SECTION. Sec. 5. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Martinis, the House concurred in the Senate amendments to Engrossed House Bill No. 1181.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 1181 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1181 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 72; nays, 18; not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Brown, Ceccarelli, Charette, Chatalas, Conner, Cunningham, Curtis, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Johnson, Jueling, Kalich, Kilbury, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Luders, Lysen, Matthews, Maxie, May, Morrison, Nelson, Newhouse, O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Randall, Schumaker, Shinpoch, Sommers, Tilly, Van Dyk, Williams, Winsley, and Mr. Speaker.

Voting nay: Representatives Bluechel, Clemente, Douthwaite, Fortson, Hansen, Jastad, King, Kraabel, Martinis, Moon, North F., North L., Pullen, Savage, Smith, Thompson, Warnke, Wojahn.

Not voting: Representatives Charnley, Julin, Leckenby, McCormick, Rabel, Valle, Wilson, Zimmerman.

Engrossed House Bill No. 1181 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.



SENATE AMENDMENTS TO HOUSE BILL

April 23, 1974

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1185 with the following amendments:

On page 1, line 4 of the title after "82.04.291;" and before "amending" insert "amending section 5, chapter 294, Laws of 1971 ex. sess. as last amended by section 90, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.33.050;"

On page 1, after the enacting clause strike sections 1 and 2 of the bill and insert the following:

"Section 1. Section 7, chapter 294, Laws of 1971 ex. sess. as amended by section 1, chapter 148, Laws of 1972 ex. sess. and RCW 82.04.291 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a harvester of timber; as to such persons the amount of tax with respect to such business shall be equal to the stumpage value of timber harvested for sale or for commercial or industrial use multiplied by the appropriate rate as follows:

(a) For timber harvested between October 1, 1972 and September 30, 1973 inclusive, the rate shall be one and three-tenths percent;

(b) For timber harvested between October 1, 1973 and September 30, 1974 inclusive, the rate shall be two and nine-tenths percent and between October 1, 1974 and December 31, 1978, inclusive, six and one-half percent (;

(c) For timber harvested on or after October 1, 1974, the rate shall be determined and fixed by the first session of the legislature commencing on or after January 1, 1973; whether regular or extraordinary, in accordance with the purposes and intent of RCW 84.33.180).

(2) For purposes of this section:

(a) 'Harvester' means every person who from his own privately owned land or from the privately owned land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services fells, cuts or takes timber for sale or for commercial or industrial use. It does not include persons performing under contract the necessary labor or mechanical services for a harvester.

(b) 'Timber' means forest trees, standing or down on privately owned land, and except as provided in RCW 84.33.170 includes Christmas trees.

(c) 'Stumpage value of timber' means the appropriate stumpage value shown on tables to be prepared by the department of revenue pursuant to subsection (3) of this section.

(d) Timber shall be considered harvested at the time when in the ordinary course of business the quantity thereof by species is first definitely determined. The amount harvested shall be determined by the Scribner Decimal C Scale or other prevalent measuring practice adjusted to arrive at substantially equivalent measurements, as approved by the department of revenue.

(3) On or before July 1, 1972 and as necessary thereafter, the department of revenue shall designate areas

containing timber having similar growing, harvesting and marketing conditions to be used as units for the preparation and application of stumpage values. Before September 1, 1972 for use during the fourth quarter of 1972 and all of 1973, and before December 1 of each year commencing with 1973, for use during the succeeding year, the department shall prepare tables of stumpage values of each species or subclassification of timber within such units, which values shall be the amount that each such species or subclassification would sell for at a voluntary sale made in the ordinary course of business for purposes of immediate harvest. Such stumpage values, expressed in terms of a dollar amount per thousand board feet or other unit measure, shall be determined from (a) gross proceeds from sales on the stump of similar timber of like quality and character at similar locations, and in similar quantities, or from (b) gross proceeds from sales of logs adjusted to reflect only the portion of such proceeds attributable to value on the stump immediately prior to harvest, or from a combination of (a) and (b), and shall be determined in a manner which makes reasonable and adequate allowances for age, size, quality, costs of removal, accessibility to point of conversion, market conditions and all other relevant factors. If, on or before April 1 of any year commencing with 1975, the department shall determine that the stumpage value index as of January 1 of such year is greater or smaller, by ten percent or more, than the stumpage value index as of July 1 of the preceding year it shall, in the same manner prescribed for annual stumpage value determinations, prepare revised tables setting forth stumpage values. Such revised tables shall be applicable to timber harvested between July 1 and December 31 of such year, inclusive. The term stumpage value index as of any date shall mean a weighted average price of state and federal timber sales for all species during the twelve months prior to such date, such weighting to be based upon the actual volumes of the several species or subclassifications of timber harvested during the four most recent calendar quarters for which such information is available from tax returns filed by harvesters. Such index and the procedures to be followed in calculating it shall be further defined in regulations to be prepared by the department of revenue and reviewed by the ways and means committees of the house and senate prior to promulgation by the department. Upon application from any person who plans to harvest damaged timber, the stumpage values for which have been materially reduced from the values shown in the applicable tables due to damage resulting from fire, blow down, ice storm, flood or other sudden unforeseen cause, the department shall revise such tables for any area in which such timber is located and shall specify any additional accounting or other requirements to be complied with in reporting and paying such tax. The preliminary area designations and stumpage value tables and any revisions thereof shall be subject to review by the ((forest tax committee established pursuant to REW 84-33-480)) ways and means committees of the house and senate prior to finalization. Tables of stumpage values shall be signed by the director or his designee and

authenticated by the official seal of the department. A copy thereof shall be mailed to anyone who has submitted to the department a written request therefor.

(4) On or before ((October 31, 1972, with respect to stumpage values set by the department of revenue for the fourth quarter of 1972 and all of 1973, and on or before January 31 of each succeeding year commencing with 1974; with respect to stumpage values set by the department of revenue for such year;)) the sixtieth day after the date of final adoption of any stumpage value tables, any harvester may appeal to the board of tax appeals for a revision of stumpage values for an area determined pursuant to subsection (3) of this section.

(5) There are hereby created in the state treasury a state timber tax fund A and a state timber tax fund B, separate and apart from the state general fund. The revenues from the tax imposed by subsection (1) of this section shall be deposited in state timber tax fund A and state timber tax fund B as follows:

YEAR OF COLLECTION	FUND A	FUND B
1973 through 1978	100%	0%
1979	75%	25%
1980	50%	50%
1981	25%	75%
1982 and thereafter	0%	100%

(6) In addition to the rates specified in subsection (1) of this section, there shall be imposed upon such persons a surtax at a rate of .5% of the stumpage value of timber as specified in such subsection (1) upon timber harvested between October 1, 1972 and ((December 31)) September 30, 1974 inclusive. The revenues from such surtax shall be deposited in a separate fund designated the state timber reserve fund, which is hereby created in the state treasury separate and apart from the state general fund. Such surtax shall be reimposed for one year upon timber harvested in any calendar year following any fourth quarter during which transfers from such reserve fund pursuant to subsection (3) of RCW 84.33.080 reduce the balance in such fund to less than five hundred thousand dollars, but in no event shall such surtax be imposed in any year after 1980.

(7) The tax imposed under this section shall be computed with respect to timber harvested each calendar quarter and shall be due and payable in quarterly installments and remittance therefor shall be made on or before the last day of the month next succeeding the end of the quarterly period in which the tax accrued. The taxpayer on or before such date shall make out a return, upon such forms and setting forth such information as the department of revenue may require, showing the amount of the tax for which he is liable for the preceding quarterly period, and shall sign and transmit the same to the department of revenue, together with a remittance for such amount.

(8) The taxes imposed by this section shall be in addition to any taxes imposed upon the same persons pursuant to one or more of sections RCW 82.04.230 to 82.04.290, inclusive, and RCW 82.04.440, and none of such sections shall be construed to modify or interact with this

section in any way, except RCW 82.04.450 and 82.04.490 shall not apply to the taxes imposed by this section.

(9) Any harvester incurring less than ten dollars tax liability under this section in any calendar quarter shall be excused from the payment of such tax, but may be required by the department of revenue to file a return even though no tax may be due.

((10) Subsection (f) of this section is enacted to be fully effective commencing upon May 21, 1974, even though all rates of tax are not specified. The forest tax committee established pursuant to RCW 84.33.180 shall, as its first priority and in addition to its other responsibilities, develop a recommendation with respect to rates for presentation to the first session of the legislature commencing on or after January 4, 1972, whether regular or extraordinary.))

Sec. 2. Section 8, chapter 294, Laws of 1971 ex. sess. as last amended by section 92, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.33.080 are each amended to read as follows:

(1) On or before December 15 of each year commencing with 1972 and ending with 1980, the assessor of each timber county shall deliver to the treasurer of such county and to the department of revenue a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The value of timber as shown on the timber roll for such year;

(b) The aggregate dollar rate calculated pursuant to RCW 84.33.060 and actually utilized the immediately preceding October in extending real property taxes upon the tax rolls for collection in the following year;

(c) A 'timber factor' which is the product of such aggregate dollar rate, the assessment ratio applied generally by such assessor in computing the assessed value of other property in his county and the appropriate portion listed below of the timber roll for such year ((a) above):

Year	Portion of Timber Roll
1972	25%
1973	55%
1974 through 1977	100%
1978	75%
1979	50%
1980	25%

On or before December 31 of each year commencing with 1972 and ending with 1980, the department of revenue shall determine the proportion that each taxing district's timber factor bears to the sum of the timber factors for all taxing districts in the state, and shall deliver a list to the assessor and the treasurer of each timber county and to the state treasurer showing the factor and proportion for each taxing district.

(2) On the ((tenth)) twentieth day of the second month of each calendar quarter, commencing February ((10, 1973)) 20, 1974 and ending November ((10)) 20, 1981, the state treasurer shall pay to the treasurer of each timber county for the account of each taxing district such district's proportion (determined in December of the preceding year pursuant to subsection (1) of this section) of the amount

in state timber tax fund A collected upon timber harvested in the preceding calendar quarter, but in no event shall any such quarterly payment to a taxing district, when added to ~~((the))~~ such payments made to such district the previous quarters of the same year, exceed, respectively one-fourth, one-half, three-fourths, or the full amount of the timber factor for such district determined in December of the preceding year.

The balance in state timber tax fund A, if any, after the distribution to taxing districts on November ~~((10 each year commencing with 1973 and ending with 1981,))~~ 20, 1974 and on the twentieth day of the second month of each calendar quarter commencing February 20, 1975 and ending November 20, 1981 shall be transferred to the state timber reserve fund.

(3) If the balance in state timber tax fund A immediately prior to such ~~((November 10 distribution to taxing districts))~~ twentieth day of the second month of each calendar quarter is not sufficient to permit a payment of one-fourth, one-half, three-fourths, or the full amount, as the case may be, which, when added to the payments made to any taxing district the previous quarters of the same year, will equal the timber factor for such district determined in December of the preceding year, the necessary additional amount shall be transferred from the state timber reserve fund to state timber tax fund A.

(4) If, after the transfer, if any, from the state timber tax fund A (pursuant to subsection (2) of this section) in August of any year commencing with 1974, the balance in the state timber reserve fund exceeds two million dollars, the amount of the excess shall be applied first, subject to legislative appropriation of funds allocated from the state timber reserve fund, for activities undertaken by the department of revenue forest valuation section and for the activities undertaken by the department of natural resources relating to classification of lands as required by this chapter: PROVIDED, That within the 1973-75 biennium, the state treasurer shall transfer from the state timber reserve fund to the state general fund an amount equal to actual expenditures of the department of revenue related to the activities of the forest valuation section no later than August 31, 1974 and August 31, 1975, for the fiscal year just completed. If the amount of such excess is more than is necessary for reimbursement for such purposes, the remaining amount of the excess shall be distributed to the taxing districts which distribution shall be made in the following manner:

(a) The department of revenue shall calculate a harvest factor and a harvest factor proportion for each taxing district, in the manner provided in subsection (5) of this section except that for years before 1978 there shall be used the aggregate value of timber harvested for as many quarters for which information is available;

(b) By multiplying the amount of such excess by the harvest factor proportion for each taxing district respectively, the department of revenue shall calculate the amount to be distributed to each local taxing district and to the state and shall certify such amounts to the

respective county assessors and state on or before October 15.

(c) Along with each quarterly payment pursuant to subsection (2) of this section, the state treasurer shall pay, out of the state timber reserve fund, to the treasurer of each timber county for the account of each local taxing district one-fourth of such district's portion (determined pursuant to (b) above) of such excess and the state treasurer shall pay into the state's general fund for the support of the common schools out of the state timber reserve fund such additional one-fourth amount due the state.

The balance, if any, in the state timber reserve fund after the final transfer, if any, to or from state timber tax fund A in November of 1981, shall be transferred to state timber tax fund B on December 31, 1981, and one-fourth of such balance shall be distributed in each quarter of 1982 in the manner set forth in subsection (6) of this section.

(5) On or before December 31 of each year commencing with 1978, the department of revenue shall deliver to the treasurer of each timber county a schedule setting forth for each taxing district or portion thereof lying within such county:

(a) The average of the aggregate value of all timber harvested within such district in each of the immediately preceding five years as determined from the excise tax returns filed with the department of revenue;

(b) The aggregate dollar rate calculated pursuant to RCW 84.33.060 and chapter 84.52 RCW and actually utilized the immediately preceding October in extending real property taxes upon the tax rolls for collection the following year;

(c) A 'harvest factor' which is the product of such five year average and such aggregate dollar rate;

(d) The proportion that each taxing district's harvest factor bears to the sum of the harvest factors for all taxing districts in the state.

(6) On the ((tenth)) twentieth day of the second month of each calendar quarter commencing February ((40)) 20, 1979, the state treasurer shall pay to the treasurer of each timber county for the account of each taxing district such district's proportion (determined in December of the preceding year pursuant to subsection (5) of this section) of the amount in state timber tax fund B collected upon timber harvested in the preceding calendar quarter.

Sec. 3. Section 5, chapter 294, Laws of 1971 ex. sess. as last amended by section 90, chapter 195, Laws of 1973 1st ex. sess. and RCW 84.33.050 are each amended to read as follows:

(1) In preparing the assessment roll as of January 1, 1971 for taxes payable in 1972, the assessor of each timber county shall list all timber within such county on January 1, 1971 at the 1970 timber value. For each year commencing with 1972, the assessor of each timber county shall prepare a timber roll, which shall be separate and apart from the assessment roll, listing all timber within such county on January 1, 1972 at values determined as follows:

(a) For the five years commencing with 1972, the value shall be the 1970 timber value;

(b) For each succeeding five year period, the first of which commences on January 1, 1977, the value shall be such 1970 timber value increased or decreased in proportion to the percentage change, if any, which has occurred between the last year of the preceding five year period and 1973 in the average stumpage value per unit of measure of all timber harvested in such county. Such percentage change shall be determined by the department of revenue on the basis of information contained in the excise tax returns filed pursuant to RCW 82.04.291.

(2) As used in subsection (1) of this section, "1970 timber value" means the value for timber calculated in the same manner and using the same values and valuation factors actually used by such assessor in determining the value of timber for the January 1, 1970 assessment roll, except that if a revised schedule of such values and valuation factors was applied to some but not all timber in a county for the January 1, 1970 assessment roll, such revised schedule shall be used by the assessor for any timber revalued for the 1971 or 1972 assessment rolls, and except that if the value of timber in any county on January 1, 1970 was not separately determined and shown on such assessment roll, 1970 timber value shall mean the value reconstructed from available records and information in accordance with rules to be prescribed by the department of revenue.

(3) The assessor of each timber county shall add to the assessment roll showing values of property as of January 1 of the years listed below, an 'assessed valuation' of the portion, indicated below opposite each such year, of the value of timber as shown on the timber roll for such year. Such assessed valuation shall be calculated by multiplying such portion of the timber roll by the assessment ratio applied generally by such assessor in computing the assessed valuation of other property in his county. The dollar rates, calculated pursuant to RCW 84.33.060 for each taxing district within which there was timber on January 1 of such year, shall be extended against such "assessed valuation" of timber within such district as well as against the assessed value of all other property within such district as shown on such assessment roll.

YEAR	PORTION OF TIMBER ROLL
1972	75%
1973	45%
1974 and thereafter	None

(4) Timber may be added to the timber roll, at the value specified in subsection (1) of this section, commencing as of January 1 following the designation of the land upon which such timber stands pursuant to subsection (3) of RCW 84.33.120 or 84.33.130, but only if the value of such timber was not separately determined and shown on the assessment roll as of either January 1, 1970 or January 1, 1972((+)).

(5) Timber may be added to the timber roll, at the value specified in subsection (1) of this section, commencing as of January 1st following the sale or transfer of the land upon which such timber stands from an ownership

in which such land was exempt from ad valorem taxation to an ownership in which such land is no longer exempt.

(6) The value of timber shall be deleted from the timber roll upon the sale or transfer of the land upon which such timber stands to an ownership in which such land is exempt from ad valorem taxation.

(7) A county may correct their timber inventory subject to the approval and under the direction of the department of revenue; PROVIDED, That the program is undertaken at county expense; AND PROVIDED FURTHER, That all corrected inventories be completed by December 31, 1975. A corrected inventory shall consist of the existing timber inventory minus all inventory removed since the date of last deletion from inventory plus all new inventory that can be substantiated and certified by the department of revenue; PROVIDED, That such new inventory is adjusted to 1970 values."

Renumber the remaining sections consecutively and renumber the internal references.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Randall moved that the House concur in the Senate amendments to Engrossed Substitute House Bill No. 1185.

Debate ensued, Representatives Randall, Charette, Haussler, Conner and Moon speaking in favor of the motion, and Representatives Benitz, Cunningham, Newhouse, Bluechel and Flanagan speaking against it.

Mr. Julin demanded an electric roll call, and the demand was sustained.

Mr. Polk spoke against the motion to concur.

#### ROLL CALL

The Clerk called the roll on the motion by Mr. Randall that the House concur in the Senate amendments to Engrossed Substitute House Bill No. 1185, and the motion was carried by the following vote: Yeas, 50; nays, 41; not voting, 7.

Voting yea: Representatives Anderson, Bagnariol, Bauer, Bender, Blair, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Luders, Lysen, Maxie, May, Moon, O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Adams, Amen, Barnes, Bausch, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Laughlin, Matthews, Morrison, Nelson, Newhouse, North F., North L., Pardini,



Paris, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson, Winsley.

Not voting: Representatives Charnley, Hansey, Leckenby, Martinis, McCormick, Rabel, Zimmerman.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 1185 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1185 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 52; nays, 40; not voting, 6.

Voting yea: Representatives Adams, Anderson, Bagnariol, Bauer, Bender, Blair, Ceccarelli, Charette, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hansen, Haussler, Hawkins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kraabel, Luders, Lysen, Martinis, May, Moon, O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Barnes, Bausch, Benitz, Berentson, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gilleland, Hansey, Hayner, Hendricks, Hoggins, Honan, Juelling, Julin, Kishimoto, Kopet, Kuehnle, Laughlin, Matthews, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Tilly, Wilson, Winsley.

Not voting: Representatives Charnley, Leckenby, Maxie, McCormick, Rabel, Zimmerman.

Engrossed Substitute House Bill No. 1185 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Mr. Charette, Engrossed Substitute House Bill No. 1185 was ordered transmitted immediately to the Senate.

SENATE AMENDMENT TO HOUSE BILL

April 23, 1974

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1276 with the following amendment:

On page 1, line 20 after "19.86.020" and before the period insert "PROVIDED FURTHER, That actions or transactions specifically permitted within the statutory authority granted to any regulatory board or commission

established within Title 18 RCW shall not be construed to be a violation of chapter 19.86 RCW" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mrs. Wojahn moved that the House concur in the Senate amendment to House Bill No. 1276.

Representatives Wojahn, Charette and Pardini spoke in favor of the motion, and Mr. Kuehnle spoke against it.

The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1276 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1276 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 85; nays, 5; not voting, 8.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Cunningham, Kuehnle, Polk, Schumaker, Tilly.

Not voting: Representatives Anderson, Charnley, Eng, Hayner, Leckenby, McCormick, Rabel, Zimmerman.

House Bill No. 1276 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

April 23, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1292 with the following amendments:

On page 1, line 1 of the title after "veterans;" and before "amending" strike "and"

On page 1, line 2 of the title after "73.32.130" and before the period insert "; amending section 13, chapter 154, Laws of 1972 ex. sess. and RCW 73.34.120; creating a new section; and declaring an emergency."

On page 3, after sections 1 add new section to read as follows:

"Sec. 2. Section 13, chapter 154, Laws of 1972 ex. sess. and RCW 73.34.120 are each amended to read as follows:

No certificate or claim for compensation under this chapter shall be accepted after ~~((twelve o'clock noon one year after the termination date referred to in RCW 73.34.020(4)))~~ March 28, 1975, nor shall any warrant be drawn for the payment of any compensation authorized by this chapter unless a formal application has been filed on the day set forth above.

The state treasurer and his authorized agents shall have until March 28, 1976, to process all applications filed pursuant to this chapter and microfilm all records pertaining thereto.

NEW SECTION. Sec. 3. This 1974 amendatory act (EHB 1292) and another measure before this third extraordinary session of the forty-third legislature (SSB 2017) each purport to amend RCW 73.34.120, but in different respects. It is the intention of the legislature that if both such bills shall be enacted by this session, the provisions of SSB 2017 shall take precedence over the amendments to RCW 73.34.120 contained in this bill (EHB 1292).

NEW SECTION. Sec. 4. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

On motion of Mr. Copner, the House concurred in the Senate amendments to Engrossed House Bill No. 1292.

FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 1292 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1292 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 1; not voting, 6.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers,

Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representative Blair.

Not voting: Representatives Charnley, Hayner, Leckenby, McCormick, Rabel, Zimmerman.

Engrossed House Bill No. 1292 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SENATE AMENDMENTS TO HOUSE BILL

April 23, 1974

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1288 with the following amendments:

On page 2, line 23 after "Section" and before the comma strike "79" and insert "74"

On page 4, line 10 after "districts." strike all of the material down to and including "God." on line 14.

On page 4, line 15 after "Sections" and before "of" strike "2 through 5" and insert "3 through 6"

On page 5, line 5 after "Sections" and before "of" strike "2 through 5" and insert "3 through 6" and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

On motion of Mr. Randall, the House concurred in the Senate amendments to Engrossed Substitute House Bill No. 1288.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 1288 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1288 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 0; not voting, 8.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette,

Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Charnley, Garrett, Hansen, Julin, Leckenby, McCormick, Rabel, Zimmerman.

Engrossed Substitute House Bill No. 1299 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE AMENDMENTS TO HOUSE BILL

April 23, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1363 with the following amendments:

In line 3 of the title after "RCW 41.40.030;" and before "amending" insert "amending section 13, chapter 274, Laws of 1951 as last amended by section 5, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.120;"

On page 2, following section 1 add a new section as follows:

"Sec. 2. Section 13, chapter 274, Laws of 1951 as last amended by section 5, chapter 190, Laws of 1973 1st ex. sess. and RCW 41.40.120 are each amended to read as follows:

Membership in the retirement system shall consist of all regularly compensated employees and appointive and elective officials of employers as defined in this chapter who have served at least six months without interruption or who are employed, appointed or elected on or after July 1, 1965, with the following exceptions:

(1) Persons in ineligible positions;

(2) Employees of the legislature except the officers thereof elected by the members of the senate and the house and legislative committees, unless membership of such employees be authorized by the said committee;

(3) Persons holding elective offices or persons appointed directly by the governor: PROVIDED, That such persons shall have the option of applying for membership and to be accepted by the action of the retirement board, such application for those taking elective office for the first time after May 21, 1971 shall be submitted within eight years of the beginning of their initial term of office: AND PROVIDED FURTHER, That any such persons previously denied service credit because of any prior laws excluding membership which have subsequently been repealed, shall nevertheless be allowed to recover or regain such

service credit denied or lost because of the previous lack of authority: AND PROVIDED FURTHER, That any persons holding elective offices or persons appointed by the governor who are members in the retirement system and who have, prior to becoming such members, previously held an elective office, and did not at the start of such initial or successive terms of office exercise their option to become members, may apply for membership and be accepted by action of the retirement board, to be effective during such term or terms of office, and shall be allowed to recover or regain the service credit applicable to such term or terms of office upon payment of the employee contributions therefor by the employee and employer contributions therefor by the employer or employee: AND PROVIDED FURTHER, That any person who was an elected official eligible to apply for membership pursuant to this subsection, who failed to exercise that option while holding such elected office and who is now a member of the retirement system, shall have the option to recover service credit for such elected service upon payment to the retirement system of the employee and employer contributions which would have been made had the person been a member during the period of such elective service;

(4) Employees holding membership in, or receiving pension benefits under, any retirement plan operated wholly or in part by an agency of the state or political subdivision thereof, or who are by reason of their current employment contributing to or otherwise establishing the right to receive benefits from any such retirement plan: PROVIDED, HOWEVER, In any case where the state employees' retirement system has in existence an agreement with another retirement system in connection with exchange of service credit or an agreement whereby members can retain service credit in more than one system, such an employee shall be allowed membership rights should the agreement so provide: AND PROVIDED FURTHER, That an employee shall be allowed membership if otherwise eligible while receiving survivor's benefits as secondary payee under the optional retirement allowances as provided by RCW 41.40.190 or 41.40.185;

(5) Patient and inmate help in state charitable, penal and correctional institutions;

(6) 'Members' of a state veterans' home or state soldiers' home;

(7) Persons employed by an institution of higher learning or community college, primarily as an incident to and in furtherance of their education or training, or the education or training of a spouse;

(8) Employees of an institution of higher learning or community college during the period of service necessary to establish eligibility for membership in the retirement plans operated by such institutions;

(9) Persons rendering professional services to an employer on a fee, retainer or contract basis or as an incident to the private practice of a profession;

(10) Persons appointed after April 1, 1963 by the liquor control board as agency vendors.

(11) Employees of a labor guild, association, or organization: PROVIDED, That elective officials and

employees of a labor guild, association, or organization which qualifies as an employer within this chapter shall have the option of applying for membership and to be accepted by the action of the retirement board.

(12) Persons hired in eligible positions on a temporary basis for a period not to exceed six months: PROVIDED, That if such employees are employed for more than six months in an eligible position they shall become members of the system.

(13) Persons employed by or appointed or elected as an official of a first class city that has its own retirement system: PROVIDED, That any member elected or appointed to an elective office on or after April 1, 1971 shall have the option of continuing his membership in this system in lieu of becoming a member of the city system. A member who so elects to maintain his membership shall make his contributions and the city shall pay the employer contributions at the rates prescribed by this chapter. The city shall also transfer to this system all of such member's accumulated contributions together with such further amounts as necessary to equal all employee and employer contributions which would have been paid into this system on account of such service with the city and thereupon the member shall be granted credit for all such service. Any city that becomes an employer as defined in RCW 41.40.010 (4) as the result of an individual's election under the first proviso of this subsection shall not be required to have all employees covered for retirement under the provisions of this chapter. Nothing in this subsection shall prohibit a city of the first class with its own retirement system from transferring all of its current employees to the retirement system established under this chapter.

Notwithstanding any other provision of this chapter, persons transferring from employment with a first class city of over five hundred thousand population that has its own retirement system to employment with the state department of agriculture may elect to remain within the retirement system of such city and the state shall pay the employer contributions for such persons at like rates as prescribed for employers of other members of such system."

Renumber the remaining sections consecutively.

On page 3, line 9 after "employee" and before "who" insert "not previously retired".

On page 8, line 22 after "this" and before the comma strike "chpater" and insert "chapter"

On page 10, section 12, line 29 of the printed bill after "provisions of" and before "this" insert "sections 1 and 3 through 12 of"

and the same is herewith transmitted.

Bill Gleason, Assistant Secretary.

MOTION

On motion of Mr. Bausch, the House concurred in the Senate amendments to Engrossed House Bill No. 1363.

## FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 1363 as amended by the Senate.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1363 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; nays, 3; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Blair, Bluechel, Kuehnle.

Not voting: Representatives Charnley, Leckenby, McCormick, Rabel, Zimmerman.

Engrossed House Bill No. 1363 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MESSAGE FROM THE SENATE

April 23, 1974

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on SUBSTITUTE SENATE BILL NO. 3145, and has granted said committee the powers of Free Conference, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## REPORT OF FREE CONFERENCE COMMITTEE

April 23, 1974

Mr. President:

Mr. Speaker:

We, of your Free Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 3145, permitting the establishment of satellite banking facilities, have had the same under consideration, and we recommend that the bill be amended as follows:

On page 1, line 20 after "branch" and before the period insert ": PROVIDED FURTHER, That in considering any



application for authority to open a new branch or to establish a new financial institution, the supervisor shall disregard the existence of facilities established pursuant to this act in determining whether there is reasonable promise of adequate support for the new branch or proposed new financial institution"

On page 2, following line 29 add the following new section:

"NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government, and shall take effect immediately."

On line 2 of the title after "RCW" insert "; and declaring an emergency"

All House amendments are to be stricken.

Signed by Senators Dore, Clarke and Mardesich; Representatives Pardini and Ceccarelli.

MOTION

Mr. Ceccarelli moved that the House concur in the amendments by the Free Conference Committee.

Representatives Ceccarelli and Pardini spoke in favor of the motion, and Mr. Gaspard spoke in opposition to it.

The amendments by the Free Conference Committee were adopted on a rising vote.

FINAL PASSAGE OF SENATE BILL AS AMENDED  
BY FREE CONFERENCE COMMITTEE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute Senate Bill No. 3145 as amended by the Free Conference Committee.

Representatives Ceccarelli and Pardini spoke in favor of passage of the bill, and Representative Gaspard spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 3145 as amended by the Free Conference Committee, and the bill passed the House by the following vote: Yeas, 64; nays, 27; not voting, 7.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bausch, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Chatalas, Cunningham, Curtis, Eikenberry, Ellis, Eng, Flanagan, Freeman, Gaines, Gallagher, Garrett, Gilleland, Hansen, Hansey, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Julin, Kalich, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Lysen, Matthews, Maxie, May, Morrison, Nelson, Newhouse, North F., North L., Pardini, Paris, Patterson, Polk, Pullen, Schumaker, Tilly, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn.

Voting nay: Representatives Bauer, Bender, Charette, Clemente, Douthwaite, Ehlers, Erickson, Fortson, Gaspard, Goltz, Haussler, Hawkins, Johnson, King, Martinis, Moon, O'Brien, Parker, Perry, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, and Mr. Speaker.

Not voting: Representatives Anderson, Charnley, Conner, Leckenby, McCormick, Rabel, Zimmerman.

Substitute Senate Bill No. 3145 as amended by the Free Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE SENATE

April 23, 1974

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 541 notwithstanding the Governor's veto, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 916 notwithstanding the Governor's vetoes of Sections 1, 2 and 3, and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 473 notwithstanding the Governor's vetoes, overridden by the House, to:

Page 11, section 2, subsection (18) (d)

Page 12, section 3, subsection (1)

Page 12, section 3, subsection (3)

Page 14, section 4, subsection (2)

Pages 16 and 17, section 4, subsections (10) and (11)

except the Governor's veto to

Page 20, new section 6, overridden by the House.

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) stated that the Speaker was about to sign:

HOUSE BILL NO. 1,  
 SUBSTITUTE HOUSE BILL NO. 867,  
 SUBSTITUTE HOUSE BILL NO. 1037,  
 SUBSTITUTE HOUSE BILL NO. 1185,  
 HOUSE BILL NO. 1276,  
 HOUSE BILL NO. 1292.

MOTION

On motion of Mr. Charette, the House recessed until 3:00 p.m.

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AFTERNOON SESSION  
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The House was called to order at 3:00 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Charnley, Leckenby, McCormick, Rabel and Zimmerman. Representatives Charnley, Leckenby, Rabel and Zimmerman were excused.

MESSAGE FROM THE SENATE

April 23, 1974

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SUBSTITUTE SENATE BILL NO. 3146, and asks the House to recede therefrom, and said bill, together with the House amendments thereto, is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

Mr. Williams moved that the House recede from its amendments to Engrossed Substitute Senate Bill No. 3146.

Representatives Williams and North (Lois) spoke in favor of the motion.

The motion was carried.

FINAL PASSAGE OF SENATE BILL WITHOUT HOUSE AMENDMENTS

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 3146 without the House amendments.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 3146 without the House amendments, and the bill passed the House by the following vote: Yeas, 84; nays, 3; not voting, 11.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard,

Gilleland, Goltz, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kraabel, Kuehnle, Luders, Lysen, Martinis, Matthews, May, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn.

Voting nay: Representatives Kopet, Laughlin, Newhouse.

Not voting: Representatives Charnley, Haussler, Juelling, Leckenby, Maxie, McCormick, Morrison, Rabel, Randall, Zimmerman, and Mr. Speaker.

Engrossed Substitute Senate Bill No. 3146 without the House amendments, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE SENATE

April 23, 1974

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 3220,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

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

#### INTRODUCTION AND FIRST READING

ENGROSSED SENATE BILL NO. 3220, by Senators Dcnohue and Odegaard:

AN ACT Relating to appropriations for the operation of state government; making an appropriation; and declaring an emergency.

#### MOTIONS

On motion of Mr. Thompson, the rules were suspended, and Engrossed Senate Bill No. 3220 was placed on second reading and read the second time in full.

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3220 was placed on final passage.

On motion of Mr. Thompson, further consideration of Engrossed Senate Bill No. 3220 was deferred, and the bill was ordered placed on the third reading calendar.

INTRODUCTION AND FIRST READING

SENATE BILL NO. 2688, by Senators Peterson (Lowell) and Talley:

AN ACT Relating to revenue and taxation; amending section 82.08.030, chapter 15, Laws of 1961 as last amended by section 1, chapter 11, Laws of 1971 ex. sess. and RCW 82.08.030; and amending section 82.12.030, chapter 15, Laws of 1961 as last amended by section 10, chapter 299, Laws of 1971 ex. sess. and RCW 82.12.030.

MOTIONS

On motion of Mr. Thompson, the rules were suspended, and Senate Bill No. 2688 was advanced to second reading and read the second time in full.

On motion of Mr. Thompson, further consideration of Senate Bill No. 2688 was deferred, and the bill was ordered placed at the bottom of the second reading calendar.

ENGROSSED SENATE BILL NO. 2728, by Senator Fleming:

AN ACT Relating to local government; and amending section 8, chapter 1, Laws of 1959 and RCW 41.14.080; and declaring an emergency.

MOTIONS

On motion of Mr. Thompson, the rules were suspended, and Engrossed Senate Bill No. 2728 was advanced to second reading and read the second time in full.

On motion of Mr. Thompson, further consideration of Engrossed Senate Bill No. 2728 was deferred, and the bill was placed at the bottom of the second reading calendar.

ENGROSSED SENATE BILL NO. 3212, by Senators Francis, Woody and Dore:

AN ACT Relating to group legal services; creating new sections; prescribing penalties; and declaring an emergency.

To Committee on Judiciary.

SECOND SUBSTITUTE SENATE BILL NO. 3345, by Committee on Education (Originally sponsored by Senators Fleming, Peterson [Ted] and Ridder):

AN ACT Relating to education; creating new sections; adding new sections to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.31 RCW; providing for certain reimbursements to school districts; and providing penalties.

## MOTIONS

On motion of Mr. Thompson, the rules were suspended, and Second Substitute Senate Bill No. 3345 was advanced to second reading and read the second time in full.

On motion of Mr. Thompson, further consideration of Second Substitute Senate Bill No. 3345 was deferred, and the bill was ordered placed at the bottom of the second reading calendar.

SUBSTITUTE SENATE BILL NO. 3317, by Committee on Financial Institutions (Originally sponsored by Senators Dore and Mardesich):

AN ACT Relating to insurance; amending section .19.02, chapter 79, Laws of 1947 and RCW 48.19.020; amending section .19.04, chapter 79, Laws of 1947 and RCW 48.19.040; amending section .19.06, chapter 79, Laws of 1947 and RCW 48.19.060; amending section .19.10, chapter 79, Laws of 1947 and RCW 48.19.100; amending section .19.12, chapter 79, Laws of 1947 and RCW 48.19.120; amending section .19.28, chapter 79, Laws of 1947 as amended by section 14, chapter 193, Laws of 1957 and RCW 48.19.280, creating new sections; and repealing section .34.02, chapter 79, Laws of 1947 and RCW 48.19.440.

To Committee on Financial Institutions.

SENATE BILL NO. 3102, by Senators von Reichbauer and Grant:

AN ACT Relating to United States senators; amending section 29.68.070, chapter 9, Laws of 1965 and RCW 29.68.070; and providing for the submission of this act to a vote of the people.

To Committee on Constitution and Elections.

## MOTION

On motion of Mr. Thompson, the House advanced to the sixth order of business.

## SECOND READING

## MOTIONS

On motion of Mr. Thompson, the Committee on Local Government was relieved of ENGROSSED SENATE BILL NO. 3274, and the bill was ordered placed on today's second reading calendar.

On motion of Mr. Thompson, the Committee on Ways and Means was relieved of SENATE BILL NO. 3257, and the bill was ordered placed on today's second reading calendar.

On motion of Mr. Thompson, the Committee on Ways and Means was relieved of SUBSTITUTE SENATE BILL NO. 3283, and the bill was placed on today's second reading calendar.

On motion of Mr. Thompson, the following bills were placed on the second reading calendar to be considered in the following order: SENATE BILL NO. 3257; SECOND SUBSTITUTE SENATE BILL NO. 3283; SENATE BILL NO. 2017, ENGROSSED SENATE BILL NO. 3243; SENATE BILL NO. 3121; ENGROSSED SENATE BILL NO. 3307; SENATE BILL NO. 3203; ENGROSSED SENATE BILL NO. 2401; ENGROSSED SENATE BILL NO. 3284; SENATE BILL NO. 3285; ENGROSSED SENATE BILL NO. 3274; SENATE BILL NO. 2688 and ENGROSSED SENATE BILL NO. 2728.

SENATE BILL NO. 3257, by Senator Durkan:

Creating an antitrust revolving fund.

The bill was read the second time.

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Senate Bill No. 3257 was placed on final passage.

Representatives Kopet and Shinpoch spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 3257, and the bill passed the House by the following vote: Yeas, 93; nays, 0; not voting, 5.

Voting yea: Representatives Adams, Amen, Anderson, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kuehnle, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Kraabel, Leckenby, McCormick, Rabel, Zimmerman.

Senate Bill No. 3257, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## POINT OF PERSONAL PRIVILEGE

Mr. Charette: "I would like to call to your attention an event that has taken place within this day and will take place for the rest of this year. One of the finest persons I have ever known will not serve again with this legislative body. I think that you all know that I am referring to my seatmate, Eric Anderson. Eric served in this House for sessions before I arrived here. I think that there are a number of things that should be said and I don't intend to go on too much and really say too much. Frankly, one of my concerns is that when a man reaches those retirement years he becomes rather sentimental, and I have said to a number of people on the floor of the House that in saying these things about Eric I think Eric will show his true character and perhaps become emotional. But as I start to say them, I would ask you to excuse me if I become emotional because it is really from the depth of my heart that I tell you these things.

"Probably a lot of you here in the House of Representatives really don't know the background of a young man, barely 16 years of age, who left his home in New Zealand to join a brother who had a job for him in Alaska, where he worked and then, finally ended up in the continental United States and then within our community where he worked in the difficult years. If Eric Anderson talks about union matters, or other matters, it's because he grew up, so to speak, in the woods. He worked in the woods at various jobs at times when they barely shut down the job to carry a man out when he had lost an arm or a leg and for those of you who don't know what a hook tender is, or a high climber, or a second loader, or all those various other terms that still apply to the woods, you could certainly find out from Eric, because he worked at a time when these jobs were important to our community and to our state. A man with really no great amount of formal education, who came to the Grays Harbor County area and after a few years worked as a road engineer--and a construction engineer, and because of his ability to work with men and get work out of men during a time when it was particularly important, he was the top man of a rather large logging operation within our community.

"Eric then married within our community, and I would like to acknowledge that his wife, Ida, is here today. Ida, will you stand up please? (Applause)

"The things that I have referred to are really what you consider to be the rough edges of a man who came a number of years ago to a logging community. There are also the tender edges, and although I may be transversing on some personal feelings, I feel that these things should be said so that each and every one of you that don't know could understand Eric better. Eric has been interested in veterans' legislation because as a result of the Korean War, a son was lost. Eric has been interested in health legislation because within a few months of the time that his grandson, Eric, was killed in an automobile accident, his daughter passed away as a result of an incurable disease.



"Eric and Ida's son-in-law had been a teacher and he had decided that he wanted a little better education, and with some sacrifice, Eric and Ida assisted and his son-in-law graduated from an Oregon school with a Ph. D. in mathematics, and had been teaching, and on a new life, when Eric's daughter passed away. Eric's son now lives in Olympia and works in Olympia.

"I guess the final thing that can be said about a man like Eric is that the rough edges are there. When you look around at the teachers and the lawyers and the people in the insurance business, some in the construction business, you really see very few people that serve in the legislature that have truly made their living with their hands--truly been laborers over the years--with dignity and with an ability to express roughness and kindness when each was necessary.

"Ladies and gentlemen, Eric is going to retire now, and when the legislature convenes next January he will be down in Hoquiam, but he won't be without things to do. I have been concerned about Eric because a couple of years ago he told me that he was going to buy a rototiller and I said, 'Well, Dad, you are too old to do that.' He isn't. He has a garden and if you have ever seen a masterpiece of work, something that Eric did that is a real delight for those of us who are a little lazy--it's a lazy Susan strawberry patch, made out of a number of barrels and it just has strawberries all over it and smaller barrels going up so that you can sit and pick strawberries as you turn it.

"Over the years Eric has selected from the woods, cedar burls. Most of us have seen the tables that he makes. There may very well be a fortune in cedar burls in what I refer to as Eric's grind shed or treating shed. Each one done with a work of art, each one requiring just the right amount from a man who knows wood and works with wood.

"Then there are the neighbor kids who plan on the hamburger cook-out during the summer within Eric's neighborhood. And then there's the additional feeling of comfort for the friends that Eric and Ida have made over the years. Their very close friends were involved in a tragedy that took their lives in an airplane crash last year--neighbors of theirs, a Mr. and Mrs. Elton Bennett, and you probably, if you don't know the name, have certainly seen the Bennett prints. These people had been involved in our community and so many others with Eric and Ida.

"All I can say, Eric, is God love."  
(Applause)

Mr. Anderson: "Mr. Speaker, and ladies and gentlemen of the House: I think I would like to recite my poetry today, but I don't think I am up to it. Because of a recent operation that I had, I am not supposed to get too worked up. All I can say is say thank you very, very much."

Mr. May: "Ladies and gentlemen of the House, I don't have the gift of the gentleman who just spoke, but I'll say a few words that come from my heart. We were from the class of '61--there's only a few of us left--Helmut and

Sid, Bill Chatalas, Jim, Eric and I--we were a good class, I think--one of the best. He has always been a great friend of mine and we have been seatmates now for four years and we haven't had too many knock-down and drag-outs; we get along fine. Of course, his voice has eased a little bit now, taking up the mike after his recent illness, but I wrote a poem once about 'Eric, the man from down under, When he picked up the mike--like dawn comes up like thunder.' He used to do that with the mike. I hate to see him leave the House, but I hope he has a well-deserved retirement and I'll be seeing him."

Mr. Morrison: "Eric, we would like to join in this chance to pay tribute to you. I guess none of us ever know when we are making our last appearance in this House of Representatives, and it's nice that we are able to tip our hats to you, sir.

"We sort of know you best as a salty old rascal, a guy who we always have really loved and try as we might, you couldn't be beat. To us, Eric, to me particularly personally, you have been a friend and although we have disagreed on many issues you have been a very effective legislator, particularly when we were considering some of those causes, those many causes that Bob Charette mentioned, to which you have been dedicated over the years. From this side of the aisle we join in best wishes; we hope for your total recovery; we are amazed at how well you have done. I am sorry that you couldn't recite your poetry today and we will just say great years ahead--keep stacking those logs."

Mr. Gallagher: "I want to concur in the remarks that Bill May made. I, too, came down with Eric and we have had an enjoyable 14 years that we have spent together here. He has been a friend all the way through, and I have stayed in his home and enjoyed it very, very much. Thank you, Eric."

Mr. Chatalas: "I would like to move that the expressions that were made in this Chamber for Eric Anderson be placed in the Journal."

#### SECOND READING

#### MOTION

On motion of Mr. Thompson, ENGROSSED SENATE BILL NO. 3243 was advanced on the calendar for immediate consideration.

ENGROSSED SENATE BILL NO. 3243, by Senators Grant, Washington and Murray:

Providing for public disclosure by public officials.

The bill was read the second time.

Committee on Constitution and Elections recommendation: Majority, do pass as amended. (For amendments, see Journal for thirty-sixth day, 3rd ex. sess., April 19, 1974.)

Mr. King moved adoption of the committee amendment.

Representatives King, Blair, Douthwaite and Brown spoke in favor of the committee amendment, and Representatives Bagnariol and Eikenberry spoke against it.

The committee amendment was adopted.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Curtis:

On page 1, line 7 insert a new section to read as follows:

"Section 1. Section 2, chapter 1, Laws of 1973 (Initiative Measure No. 276) and RCW 42.17.020 are each amended to read as follows:

(1) 'Agency' includes all state agencies and all local agencies. 'State agency' includes every state office, public official, department, division, bureau, board, commission or other state agency. 'Local agency' includes every county, city, city and county, school district, municipal corporation, district, political subdivision, or any board, commission or agency thereof, or other local public agency.

(2) 'Ballot proposition' means any 'measure' as defined by RCW 29.01.110, or any initiative, recall, or referendum proposition proposed to be submitted to the voters of any specific constituency which has been filed with the appropriate election officer of that constituency.

(3) 'Campaign depository' means a bank designated by a candidate or political committee pursuant to RCW 42.17.050.

(4) 'Campaign treasurer' and 'deputy campaign treasurer' means the individuals appointed by a candidate or political committee, pursuant to RCW 42.17.050, to perform the duties specified in that section.

(5) 'Candidate' means any individual who seeks election to public office. An individual shall be deemed to seek election when he first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his candidacy for office; or

(b) Announces publicly or files for office.

(6) 'Commercial advertiser' means any person who sells the service of communicating messages or producing printed material for broadcast or distribution to the general public or segments of the general public whether through the use of newspapers, magazines, television and radio stations, billboard companies, direct mail advertising companies, printing companies, or otherwise.

(7) 'Commission' means the agency established under RCW 42.17.350.

(8) 'Contribution' includes a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services, for less than full consideration, but does not include ordinary home hospitality, rummage sales, and the rendering of 'part time' personal services of the sort commonly performed by volunteer campaign workers or incidental expenses not in

excess of twenty-five dollars personally paid for by any volunteer campaign worker. For the purposes of this chapter the term 'rummage sale' shall be given its usual and ordinary meaning as of the effective date of this 1974 amendatory act, except that such definition may be revised by the commission pursuant to rules and regulations promulgated pursuant to this chapter. 'Part time' services, for the purposes of this chapter, means services in addition to regular full time employment, or, in the case of an unemployed person, services not in excess of twenty hours per week, excluding weekends. For the purposes of this chapter, contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the contribution. Sums paid for tickets to fund-raising events such as dinners and parties are contributions; however, the amount of any such contribution may be reduced for the purpose of complying with the reporting requirements of this chapter, by the actual cost of consumables furnished in connection with the purchase of such tickets, and only the excess over actual cost of such consumables shall be deemed a contribution.

(9) 'Elected official' means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.

(10) 'Election' includes any primary, general or special election for public office and any election in which a ballot proposition is submitted to the voters.

(11) 'Election campaign' means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition.

(12) 'Expenditure' includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or any thing of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. The term 'expenditure' also includes a promise to pay, a payment or transfer of anything of value in exchange for goods, services, property, facilities or anything of value for the purpose of assisting, benefiting or honoring any public official or candidate, or assisting in furthering or opposing any election campaign.

(13) 'Final report' means the report described as a final report in RCW 42.17.080(2).

(14) 'Immediate family' includes the spouse and children living in the household and other relatives living in the household.

(15) 'Legislation' means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter which may be the subject of action by either house, or any committee of the legislature and all bills and resolutions which having passed both houses, are pending approval by the governor.

(16) 'Lobby' and 'lobbying' each mean attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate or other legislative

enactment of any state agency under the state Administrative Procedures Acts, chapter 34.04 RCW and chapter 28B.19 RCW.

(17) 'Lobbyist' includes any person who shall lobby either in his own or another's behalf.

(18) 'Lobbyist's employer' means the person or persons by whom a lobbyist is employed and all persons by whom he is compensated for acting as a lobbyist.

(19) 'Person' includes an individual, partnership, joint venture, public or private corporation, association, federal, state or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

(20) 'Person in interest' means the person who is the subject of a record or any representative designated by said person, except that if such person be under a legal disability, the term 'person in interest' shall mean and include the parent or duly appointed legal representative.

(21) 'Political advertising' includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.

(22) 'Political committee' means any person (except a candidate or an individual dealing with his own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

(23) 'Public office' means any federal, state, county, city, town, school district, port district, special district, or other state political subdivision elective office.

(24) 'Public record' includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(25) 'Writing' means handwriting, typewriting, printing, photostating, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

As used in this chapter, the singular shall take the plural and any gender, the other, as the context requires."

Renumber the remaining sections consecutively.

Mr. Tilly spoke in favor of the amendment, and Mr. Brown spoke against it.

Mr. Thompson demanded an electric roll call and the demand was sustained.

Representatives Curtis and Tilly spoke in favor of the amendment, and Representatives King and Blair spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Tilly and Curtis to Engrossed Senate Bill No. 3243, and the amendment was not adopted by the following vote: Yeas, 16; nays, 74; not voting, 8.

Voting yea: Representatives Amen, Benitz, Curtis, Flanagan, Hayner, Jastad, Jueling, Kalich, Kuehnle, Morrison, Newhouse, Patterson, Polk, Savage, Schumaker, Tilly.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Bender, Berentson, Blair, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Haussler, Hawkins, Hendricks, Hoggins, Honan, Hurley, Johnson, Julin, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Nelson, North P., North L., O'Brien, Pardini, Paris, Perry, Pullen, Randall, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Bluechel, Hansey, Leckenby, McCormick, Parker, Rabel, Zimmerman.

Mr. Tilly moved adoption of the following amendment by Representatives Tilly and Amen:

On page 4, line 11 after "vice president" strike down to and including "committeeman)" and insert "((and) , precinct committeemen, and any nonsalaried elected official of a local agency with a total annual budget of fifty thousand dollars or less) shall on or before January 31st of each year, and every candidate (except for the offices ((of president, vice president and precinct committeeman) excluded above)"

Mr. Tilly spoke in favor of the amendment.

Mr. Thompson demanded an electric roll call and the demand was sustained.

Representatives Amen, Tilly and Curtis spoke in favor of adoption of the amendment, and Representatives Brown and King spoke against it.

#### ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representatives Tilly and Amen to Engrossed Senate Bill No. 3243, and the amendment was not adopted by the following vote: Yeas, 22; nays, 69; not voting, 7.

Voting yea: Representatives Amen, Benitz, Berentson, Ceccarelli, Curtis, Flanagan, Garrett, Hansen, Haussler, Hayner, Jastad, Kilbury, Knowles, Kuehnle, Laughlin,

Luders, Morrison, Newhouse, Pardini, Patterson, Schumaker, Tilly.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Bender, Blair, Bluechel, Brown, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansey, Hawkins, Hendricks, Hoggins, Honan, Hurley, Johnson, Juelling, Julin, Kalich, King, Kopet, Kraabel, Lysen, Martinis, Matthews, Maxie, May, Moon, Nelson, North F., North L., O'Brien, Paris, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Kishimoto, Leckenby, McCormick, Parker, Rabel, Zimmerman.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) stated that the Speaker was about to sign:

- SUBSTITUTE HOUSE BILL NO. 670,
- HOUSE BILL NO. 1181,
- SUBSTITUTE HOUSE BILL NO. 1288,
- HOUSE BILL NO. 1363.

Mr. Brown moved adoption of the following amendment to Engrossed Senate Bill No. 3243:

On page 5, line 32 after "business" strike down to and including "months" on page 6, line 7

Representatives Brown and Curtis spoke in favor of the amendment, and Mr. King spoke against it.

Mr. Thompson demanded an electric roll call, and the demand was sustained.

Mr. Pardini spoke against adoption of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Brown to Engrossed Senate Bill No. 3243, and the amendment was not adopted by the following vote: Yeas, 37; nays, 55; not voting, 6.

Voting yea: Representatives Amen, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eng, Flanagan, Freeman, Garrett, Hansen, Hansey, Haussler, Hayner, Hendricks, Jastad, Juelling, Julin, Kishimoto, Kopet, Kraabel, Kuehnle, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Schumaker, Tilly, and Mr. Speaker.

Voting nay: Representatives Adams, Anderson, Bagnariol, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eikenberry, Ellis, Erickson, Fortson, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hawkins, Hoggins, Honan, Hurley, Johnson, Kalich, Kilbury, King, Knowles, Laughlin, Luders, Lysen, Martinis, Maxie, May, North F., O'Brien, Perry,

Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn.

Not voting: Representatives Leckenby, McCormick, Moon, Parker, Rabel, Zimmerman.

Mr. Kuehnle moved adoption of the following amendment to Engrossed Senate Bill No. 3243:

On page 4, line 10 after "official" and before "(except" insert "who receives compensation in excess of one hundred dollars per month"

Mr. Kuehnle spoke in favor of the amendment, and Mr. King spoke against it.

Mr. Thompson demanded an electric roll call and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment by Mr. Kuehnle to Engrossed Senate Bill No. 3243, and the amendment was not adopted by the following vote: Yeas, 15; nays, 76; not voting, 7.

Voting yea: Representatives Amen, Benitz, Berentson, Curtis, Flanagan, Garrett, Hansen, Haussler, Hurley, Knowles, Kuehnle, Morrison, Newhouse, Patterson, Schumaker.

Voting nay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Bender, Blair, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Fortson, Freeman, Gaines, Gallagher, Gaspard, Gilleland, Goltz, Hansey, Hawkins, Hendricks, Hoggins, Honan, Jastad, Johnson, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Kopet, Kraabel, Laughlin, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Nelson, North F., North L., O'Brien, Pardini, Paris, Parker, Perry, Polk, Pullen, Randall, Savage, Shinpoch, Smith, Sommers, Thompson, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Hayner, Leckenby, McCormick, Rabel, Tilly, Zimmerman.

On motion of Mr. King, the following committee amendment to the title as adopted:

On line 4 of the title after the semicolon strike "and" and on line 5 of the title before the period insert "; amending section 6, chapter 1, Laws of 1973 and RCW 42.17.060; and declaring an emergency"

#### MOTION

On motion of Mr. Conner, the rules were suspended, the second reading considered the third, and Engrossed Senate Bill No. 3243 as amended by the House was placed on final passage.



Debate ensued, Representatives King, Charette and Brown speaking in favor of the bill, and Representatives Kopet, Eikenberry and Garrett speaking against it.

POINT OF PERSONAL PRIVILEGE

Mr. Eikenberry: "The implication of the talk by Representative Brown is that both Representative Charette's remarks and mine should be interpreted as a person who intends an all-out onslaught on this law in the future. I would specifically and categorically deny that charge if that is what Representative Brown intended."

Mr. Kraabel spoke in favor of passage of the bill, and Mr. Berentson spoke against it.

POINT OF PERSONAL PRIVILEGE

Mr. Brown: "Mr. Speaker, I would just like to clarify the intent of my remarks. Apparently they were taken in error. I made a general question based on a general observation and had no references to remarks made by any particular individual in previous debate."

Mr. Charette demanded the previous question and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 3243 as amended by the House, and the bill failed to pass the House by the following vote: Yeas, 42; nays, 51; not voting, 5.

Voting yea: Representatives Bender, Blair, Brown, Charnley, Chatalas, Clemente, Douthwaite, Ehlers, Ellis, Eng, Erickson, Fortson, Gaines, Gallagher, Goltz, Haussler, Hawkins, Hoggins, Hurley, Jastad, Johnson, Kalich, Kilbury, King, Knowles, Kraabel, Luders, Lysen, Maxie, May, Moon, North L., O'Brien, Paris, Patterson, Perry, Savage, Smith, Sommers, Valle, Van Dyk, Williams.

Voting nay: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Benitz, Berentson, Bluechel, Ceccarelli, Charette, Conner, Cunningham, Curtis, Eikenberry, Flanagan, Freeman, Garrett, Gaspard, Gilleland, Hansen, Hansey, Hayner, Hendricks, Honan, Jueling, Julin, Kishimoto, Kopet, Kuehnle, Laughlin, Martinis, Matthews, Morrison, Nelson, Newhouse, North F., Pardini, Parker, Polk, Pullen, Randall, Schumaker, Shinpoch, Thompson, Tilly, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Not voting: Representatives Anderson, Leckenby, McCormick, Rabel, Zimmerman.

Engrossed Senate Bill No. 3243 as amended by the House, having failed to received the constitutional majority, was declared lost.

## EXPLANATION OF VOTE

I inadvertently voted "no" on Engrossed Senate Bill No. 3243, when I meant to vote "yes."

FRANCES NORTH, 47th District.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3283, by Committee on Ways and Means (Originally sponsored by Senators Durkan, Odegaard, Donohue, Bailey, Bottiger, Connor, Day, Dore, Fleming, Francis, Grant, Greive, Henry, Herr, Jolly, Keefe, Knoblauch, Mardesich, Marsh, Peterson [Lowell], Rasmussen, Ridder, Sandison, Stortini, Talley, Van Hollebeke, von Reichbauer, Walgren, Washington and Woody):

Authorizing property tax exemption to support the elderly, poor and infirm persons.

The bill was read the second time.

On motion of Mr. Randall, the following amendment was adopted:

On page 1, line 12 after "payable" strike "for the year in" and insert "in the year following the year in"

On motion of Mr. Chatalas, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute Senate Bill No. 3283 as amended by the House was placed on final passage.

Mr. Randall spoke in favor of passage of the bill.

## POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Amen.

Mr. Amen: "I don't quite understand this shift from this 2.3 million dollars, Representative Randall, where it is taken from and where it goes. The total net loss is 4.9 million dollars and you say that it costs the state one million dollars and the local government 1.5 million dollars. Where is the other part coming from?"

Mr. Randall: "In the area of special levies we have just exempted from the obligation of the same special property taxes an additional number of taxpayers due to the fact that we have increased the flowing of the income level as well as the change in valuation. You ask for a special levy in exact dollars. Those exact dollars are collected. If they are not collected on as broad a base as they are now, we have narrowed the base to exclude retired citizens with these income qualifications and that shifts the tax burden to other taxpayers."

Representatives Amen, Hoggins and Blair spoke against passage of the bill.

## POINT OF INQUIRY

Mr. Randall yielded to question by Mr. Kuehnle.

Mr. Kuehnle: "On page 2, starting on line 19 with the proviso--if I read this correctly--we are saying that 'any person within the income range of \$5,000 or less shall be exempt from any obligation to pay regular property taxes on up to \$5,000 of valuation...' If I interpret that correctly, they can be any age and this is another exemption that has been plugged in here. Up above that we are describing the person as one who is 62 years old and owns his house and who is to be exempt 100% below \$6,000, 50% above \$6,000, but the proviso does not say anything about, nor does it refer back to, the requirement that he must be 62 years of age. Am I reading this incorrectly?"

Mr. Randall: "There you go again, Jim Kuehnle, reading the bills too carefully. I'm afraid that you might have picked up something that is a little unconstitutional. I will have to, on initial inspection, agree that the proviso does add any person. That's the Senate for you. Section 8, if this is found unconstitutional, will protect the rest of the bill."

## MOTION

Mr. Kuehnle moved that Engrossed Second Substitute Senate Bill No. 3283 be returned to second reading for the purpose of amendment.

Representatives Kuehnle and Douthwaite spoke in favor of the motion, and the motion was carried.

## MOTION

Mr. Charette moved that the House defer consideration of Engrossed Second Substitute Senate Bill No. 3283, and immediately consider ENGROSSED SENATE BILL NO. 3307.

## MOTION

Mr. Newhouse moved that the motion by Mr. Charette be amended by striking Engrossed Senate Bill No. 3307 and inserting ENGROSSED SENATE BILL NO. 3382.

Representatives Newhouse, Hayner and Hurley spoke in favor of the motion, and Representatives Charette and Savage spoke against it.

## MOTION

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

## THIRD READING

## RECONSIDERATION OF FINAL PASSAGE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the reconsideration of final passage of Engrossed Second Substitute Senate Bill No. 3042.

Mr. Charette demanded an oral roll call, and the demand was sustained.

Mr. Pardini spoke in opposition to the bill, and Mr. King spoke in favor of it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3042, and the bill failed to pass the House by the following vote: Yeas, 43; nays, 51; not voting, 4.

Voting yea: Representatives Adams, Anderson, Bauer, Bausch, Bender, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Douthwaite, Ehlers, Eng, Erickson, Fortson, Gaines, Gallagher, Gaspard, Goltz, Hawkins, Johnson, Kilbury, King, Laughlin, Lysen, Martinis, Maxie, May, Moon, North F., O'Brien, Parker, Perry, Savage, Smith, Sommers, Thompson, Valle, Van Dyk, Williams, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Bagnariol, Barnes, Benitz, Berentson, Blair, Bluechel, Brown, Cunningham, Curtis, Eikenberry, Ellis, Flanagan, Freeman, Garrett, Gilleland, Hansen, Hansey, Haussler, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Juelling, Julin, Kalich, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Luders, Matthews, Morrison, Nelson, Newhouse, North L., Pardini, Paris, Patterson, Polk, Pullen, Randall, Schumaker, Shinpoch, Tilly, Warnke, Wilson, Winsley.

Not voting: Representatives Leckenby, McCormick, Rabel, Zimmerman.

Engrossed Second Substitute Senate Bill No. 3042, having failed to receive the constitutional majority, was declared lost.

## MOTION

On motion of Mr. Thompson, the House reverted to the sixth order of business for the purpose of immediately considering ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3283 on second reading.

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3283:

The House resumed consideration of the bill.

On motion of Mr. Kuehnle, the following amendment by Representatives Kuehnle and Randall was adopted:

On page 2, line 19 following "any person" insert ", who otherwise qualifies under the provisions of this section, and is"

On motion of Mr. Thompson, the rules were suspended, the second reading considered the third, and Engrossed Second Substitute Senate Bill No. 3283 as amended by the House was placed on final passage.

Representatives Douthwaite and Charnley spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 3283 as amended by the House, and the bill passed the House by the following vote: Yeas, 88; nays, 5; not voting, 5.

Voting yeay: Representatives Adams, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Bluechel, Brown, Ceccarelli, Charette, Charnley, Chatalas, Clemente, Conner, Cunningham, Curtis, Douthwaite, Ehlers, Eikenberry, Ellis, Eng, Erickson, Flanagan, Portson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Hawkins, Hayner, Hendricks, Hoggins, Honan, Hurley, Jastad, Johnson, Juelling, Julin, Kalich, Kilbury, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Luders, Lysen, Martinis, Matthews, Maxie, May, Moon, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Perry, Polk, Pullen, Randall, Savage, Schumaker, Shinpoch, Smith, Sommers, Thompson, Tilly, Valle, Van Dyk, Warnke, Williams, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Amen, Blair, Haussler, King, Laughlin.

Not voting: Representatives Anderson, Leckenby, McCormick, Rabel, Zimmerman.

Engrossed Second Substitute Senate Bill No. 3283 as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATION OF VOTE

I voted "no" by mistake on Engrossed Second Substitute Senate Bill No. 3283.

EUGENE L. LAUGHLIN, 17th District.

## EXPLANATION OF VOTE

My vote on Engrossed Second Substitute Senate Bill No. 3283 is "Aye."

RICHARD A. KING, 38th District.

## MESSAGE FROM THE SENATE

April 23, 1974

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1,  
 SUBSTITUTE HOUSE BILL NO. 867,  
 SUBSTITUTE HOUSE BILL NO. 1037,  
 SUBSTITUTE HOUSE BILL NO. 1185,  
 HOUSE BILL NO. 1276,  
 HOUSE BILL NO. 1292,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

## RESOLUTIONS

On motion of Mr. Conner, the following resolutions were adopted:

HOUSE RESOLUTION NO. 74-166 by Representatives Conner, Ehlers, Gaines, Bausch, Patterson, Benitz, Brown, Beck, Chatalas, Ceccarelli and Williams:

WHEREAS, Citizens of the State of Washington and the other states were called to active military service during times of national emergency and conflict at great personal sacrifice; and

WHEREAS, The Congress of the United States is currently considering legislation which would increase benefits to veterans under the G.I. Bill, including the vocational rehabilitation allowance, educational assistance allowances, and the special training allowances to veterans; and

WHEREAS, Disproportionate numbers of educationally disadvantaged citizens were called to military service, many of whom need special services as they seek to continue their education; and

WHEREAS, The rising cost of living, especially the rampant inflation of the past year, has made the G.I. Bill inadequate as a source of funds for veterans; and

WHEREAS, The rising cost of living has forced many veterans on the G.I. Bill to drop out of educational programs; and

WHEREAS, The present G.I. Bill is both inadequate in today's economy and a lesser amount in real dollars than was received by the veterans of World War II; and

WHEREAS, The delimiting date for veterans of the Korean War is June 1, 1974; and

WHEREAS, The delimiting date should be extended past June 1, 1974; and

WHEREAS, In order to effect changes by June 1, 1974 in the G.I. Bill allowances and the delimiting date for Korean

War veterans, the Congress must act on veterans' legislation by March 1, 1974;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That Congress should enact legislation increasing the G.I. Bill allowances for veterans to offset the increased cost of living; and

BE IT FURTHER RESOLVED, That Congress should extend the delimiting date for Korean War veterans; and

BE IT FURTHER RESOLVED, That Congress should take such action by June 1, 1974; and

BE IT FURTHER RESOLVED, That copies of this resolution shall be transmitted by the Chief Clerk of the House of Representatives to the Honorable Richard M. Nixon, President of the United States, to the President of the Senate of the United States, to the Speaker of the House of Representatives, and to each member of Congress from the State of Washington.

HOUSE RESOLUTION NO. 74-186 by Representatives Bagnariol, North (Frances), Charette, Luders, Chatalas, Shinpoch, Valle, Bluechel, Tilly, Hoggins, Nelson, Freeman, Hansey and Warnke:

WHEREAS, Secretaries are resolved to maintain the highest professional and personal ethics in their increasingly vital role in the modern complexities of business, industry, government, and education; and

WHEREAS, A secretarial career has attained the status of an exacting and highly qualified profession; and

WHEREAS, Secretaries believe that diligence should be directed to increased learning, efficiency, and loyalty in making an ever more valuable contribution to an office; and

WHEREAS, The last full week in April is set aside each year to recognize all secretaries;

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives, that the week of April 21, 1974 to April 28, 1974 is hereby proclaimed to be Secretaries Week and that the day April 24, 1974 is proclaimed to be Secretaries Day throughout the state of Washington, and the House commends these dates to the attention of business, industry, government, and education alike in order that they can pay tribute to the Secretarial Profession by recognizing all secretaries for their services to the community and to the state;

BE IT FURTHER RESOLVED, That the clerk of the House is directed to transmit a suitably engraved copy of this resolution to the President of the Washington-Alaska Division, The National Secretaries Association (International); and to the Washington-Evergreen Chapter Secretaries Week Chairman, The National Secretaries Association (International).

HOUSE RESOLUTION NO. 74-187 by Representatives Curtis and Tilly:

WHEREAS, The United States Navy is proposing to move its Boardman, Oregon, Weapons Training Range; and

WHEREAS, One of the alternate sites is located in Northeastern Douglas County in Washington state; and

WHEREAS, Selection of this site would remove eight thousand acres of wheat land and twenty-two thousand acres of cattle range land from production; and

WHEREAS, Some twenty-four farm families would be seriously affected or displaced; and

WHEREAS, The removal of this land from private ownership would result in an annual tax loss of ten thousand dollars to Douglas County, its schools and taxing districts;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the Washington State Legislature that the United States Navy be encouraged to retain its present site at Boardman or seek a suitable alternate site on land currently owned by the United States Government and preferably a site such as an existing military reservation already used for similar purposes.

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives, to the Secretary of the Navy and to each member of the Congress from the State of Washington.

HOUSE RESOLUTION NO. 74-194 by Representatives Morrison, Hansen, Hansey and Garrett:

WHEREAS, Many collisions between automobiles and railroad cars occur each year, injuring or killing many persons and causing great property damage; and

WHEREAS, A disturbing proportion of car-train accidents occur at night when automobile drivers, arriving at a crossing after the engine has passed and too late to be warned by approaching lights and whistles, proceed into the darkened middle of the passing train; and

WHEREAS, Many railcars in the United States travel between states and cross into Canada in the course of commerce;

NOW, THEREFORE, BE IT RESOLVED, BY THE HOUSE OF REPRESENTATIVES, That we do hereby encourage the Congress to enact legislation and the Department of Transportation to enact rules and regulations requiring the marking of the sides of railroad cars with light reflectorization material, and that uniform regulations on this subject be sought with Canada.

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of House of Representatives to the Honorable Richard M. Nixon, President of the United States, to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, to each member of the Congress from this State, and to the Secretary of the Department of Transportation.

HOUSE RESOLUTION NO. 74-196 by Representatives Kilbury, Benitz, Haussler, Amen, Schumaker, Laughlin, Tilly and Van Dyk:

WHEREAS, The agriculture industry is of primary importance to the nation and to the State of Washington; and

WHEREAS, The export of agricultural commodities is necessary to balance international trade for petroleum and



other commodities essential to the health, welfare and national defense of the United States; and

WHEREAS, The attainment of anhydrous ammonia presently stored in Kenai Peninsula in Alaska is necessary for the maintenance of agricultural production in the State of Washington; and

WHEREAS, No United States vessel suitable for the shipping or carrying of anhydrous ammonia between Kenai Point in Alaska and Columbia River ports in the State of Washington satisfies the provisions of the Jones Act; and

WHEREAS, Foreign vessels are available; and

WHEREAS, The Secretary of the Treasury has authority to waive the requirements of the Jones Act under certain conditions and allow the use of foreign vessels to carry commodities from one United States port to another, including Kenai Point in Alaska; and

WHEREAS, The said transportation by foreign ships would greatly alleviate the immediate problem of acquiring supplies of anhydrous ammonia; and

WHEREAS, The agricultural community of the State of Washington will suffer up to \$300,000,000 in reduced production; and

WHEREAS, Such loss would adversely affect the balance of trade and the United States labor force; and

WHEREAS, The initial request for waiver has been denied;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the federal administration should recognize the importance of the agriculture industry and labor force, and reconsider the denial of said waiver and permit the use of foreign vessels in transporting anhydrous ammonia by one ship from the Kenai Peninsula in Alaska to Columbia River ports in Washington for a period of one year, and that Congress be requested to adopt a limiting amendment providing for the use of one foreign ship to carry anhydrous ammonia from the Kenai Peninsula in Alaska to Columbia River ports in Washington for a period of one year from the enactment of this Resolution, and that after the expiration of such year, the Jones Act be fully restored to its primary purpose of protecting the American economy and labor force.

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to the Honorable Richard M. Nixon, President of the United States, the President of the Senate and Speaker of the House of Representatives of the United States, to the Secretary of the Treasury, and to each member of the Congress from the State of Washington.

HOUSE RESOLUTION NO. 74-201 by Representatives Goltz, Kopet, Ceccarelli and Rabel:

WHEREAS, The unusually extensive volunteer services of thousands of concerned, dedicated, and willing Washington citizens enrich the quality of life for all in this state; and

WHEREAS, The period of April 21st through 27th, 1974, has been proclaimed "National Volunteer Week" as a time in which to give special recognition to the importance and contributions of volunteers; and

WHEREAS, The Legislature of the State of Washington extends deepest gratitude and appreciation for the humanitarian efforts of all volunteers, and encourages every citizen to contribute to the betterment of their community through voluntary service in human, social, and environmental programs;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives respectfully requests that the national administration join with us to recognize the importance of volunteer services to the well-being and vitality of this nation, and to encourage and support greater citizen involvement in agencies, institutions, and programs, non-profit, both public and private, which will build and enhance a "spirit of community"; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Honorable Richard M. Nixon, President of the United States, to the President of the United States Senate, and the Speaker of the House of Representatives, to both the Senate and the House of Representatives of the United States, to the Secretary of State of the United States, and to each member of Congress from the State of Washington.

HOUSE RESOLUTION NO. 74-202 by Representatives Bauer, Paris, Laughlin, Thompson and Kishimoto:

WHEREAS, The City of Vancouver, Washington, will sponsor a Sesquicentennial Celebration to commemorate the establishment of Fort Vancouver by the Hudson Bay Company in 1825; and

WHEREAS, This was the earliest permanent settlement of white persons in what is now the northwestern United States; and

WHEREAS, Under the leadership of Dr. John McLoughlin, chief factor for the Hudson Bay Company, Fort Vancouver served as the trading center for fur trappers and traders and for the Indian peoples of the region; and

WHEREAS, The fort supplied grain and supplies to settlers entering the Willamette Valley to the south, and served the medical needs of all persons in the region as the first hospital of the Northwest; and

WHEREAS, It was in this area where the industries of fishing, lumbering, and agriculture had their origins in what was then the Oregon country; and

WHEREAS, Fort Vancouver was designated a National Historical Site in 1957, and the stockade, including the bastion, are now fully reconstructed on the original site by the Columbia River in Vancouver, Washington; and

WHEREAS, The Citizens Stamp Advisory Commission is collecting signatures requesting the Postmaster General to issue a commemorative stamp on the occasion of the Sesquicentennial Celebration;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington does hereby commend and support the City of Vancouver for its sponsorship of the Fort Vancouver Sesquicentennial Celebration, and further does hereby recognize and commend the Fort Vancouver Historical Society for its valuable

efforts and accomplishments in the preservation of Fort Vancouver;

BE IT FURTHER RESOLVED, That the House of Representatives does hereby request that the United States Post Office issue a commemorative stamp block on March 10, 1975, on the occasion of the Sesquicentennial Celebration in honor of the early days of the Fort Vancouver era;

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit copies of this resolution to the Mayor of the City of Vancouver, the Fort Vancouver Historical Society, the Postmaster General of the United States, and to each member of the congressional delegation from the state of Washington.

HOUSE RESOLUTION NO. 74-204 by Representatives Anderson, Hendricks and Bausch:

WHEREAS, Thurston County offers modern and efficient health care services, including hospital care, emergency medical care, physicians and surgeons, nurses and other essential staff; and

WHEREAS, St. Peter's Hospital in Thurston County provides complete medical care in a beautiful, modern facility located in a secluded, forested setting; and

WHEREAS, The Sisters and the staff at St. Peter's provide excellent medical care and services; and

WHEREAS, In addition to serving the health and medical needs of the county, the health care facilities and personnel of Thurston County serve the residents of all of southwestern Washington; and

WHEREAS, Residents of southwestern Washington need not travel far from home to the larger cities to obtain modern, expert, and sophisticated medical care;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives wishes to congratulate and to thank all persons and institutions engaged in providing health care services in Thurston County.

HOUSE RESOLUTION NO. 74-205 by Representatives Douthwaite, Charnley, Gaines, Laughlin, McCormick, Kilbury and Perry:

WHEREAS, Many legislators and staff people commute daily between Seattle and Olympia, Washington; and

WHEREAS, The continuing shortage of gasoline encourages people to utilize means of transportation other than the private automobile; and

WHEREAS, A good rail line exists between Seattle and Olympia, but not all passenger trains stop at East Olympia; and

WHEREAS, Many commuters from Seattle would ride the train if it stopped at Olympia and if the service at the Olympia terminal were improved;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington respectfully petition the Congress of the United States and the Secretary of the Department of Transportation to take all actions necessary to urge the National Rail Passenger Corporation (AMTRAK) to provide at least one morning and evening train link between Seattle and Olympia, and that the passenger accommodations at East Olympia be improved

such that legislators and many other commuters will be encouraged to employ this means of transportation; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Honorable Richard M. Nixon, President of the United States, to the President of the Senate and the Speaker of the House of Representatives, to each member of the Congress from the state of Washington, and to the Secretary of the Department of Transportation.

HOUSE RESOLUTION NO. 74-206 by Representatives Perry, Hansen, McCormick, Barnes, Bender, Berentson, Ceccarelli, Clemente, Conner, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Martinis, Nelson, Patterson, Pullen, Schumaker, Wilson and Charnley:

WHEREAS, Mr. George Andrews has been the director of the Department of Highways for the last several years, a difficult period in the history of that Department; and

WHEREAS, The continuing service he has offered the legislature has been of inestimable assistance to individual members and the committees of the legislature; and

WHEREAS, Mr. George Andrews is currently serving as president of the American Association of State Highway and Transportation Officials; and

WHEREAS, Mr. George Andrews has recently been named one of the ten top men of the year by the American Public Works Association; and

WHEREAS, Mr. George Andrews has risen through the ranks of the Department of Highways to become one of the most respected men in the nation for his wise and prudent directorship of the Department and his leadership in the field of transportation generally;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives, in legislative session assembled, congratulates George Andrews on his being named one of the top ten men of the year by the American Public Works Association; and

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to Mr. Andrews as a mark of the House of Representatives' appreciation of his many hours of work with that body.

On motion of Mr. Conner, the following resolutions were adopted:

HOUSE RESOLUTION NO. 74-167 by Representatives Erickson, Ehlers, Kalich, Jastad, Hansen, Gaspard and Kelley:

WHEREAS, Mount Rainier, whose snow-capped peak dominates the sky for leagues around, was discovered by Captain George Vancouver in 1792; and

WHEREAS, Vancouver named this majestic mountain for British Admiral Rainier; and

WHEREAS, Mount Rainier, which stands 14,410 feet in height, was first ascended and explored in 1833; and

WHEREAS, The Indians called the mountain Tahoma and "The mountain that was God"; and

WHEREAS, Mount Rainier was born of fire, as were several other great volcanoes of the Cascade Mountain Range; and

WHEREAS, This great alp inspired John Muir to write "... of all the fire mountains which like beacons once flamed along the Pacific coast, Mount Rainier is the noblest"; and

WHEREAS, Mount Rainier National Park was established in 1899; and

WHEREAS, 1974 marks the 75th Birthday and Diamond Jubilee of Mount Rainier National Park;

NOW, THEREFORE, BE IT RESOLVED, That the Senate wishes to recognize and commemorate this 75th Anniversary of the establishment of the Mount Rainier National Park.

HOUSE RESOLUTION NO. 74-209 by Representatives Adams, Parker, Ellis, Freeman, Goltz, Jastad and Savage:

WHEREAS, The price of health care for the citizens of the United States is expected to be \$100 billion between July 1st of 1973 and June 30th, 1974; and

WHEREAS, Despite the increasing cost of health care it remains difficult if not impossible for the poor, the working poor, the aged, and those living in rural areas to have access to quality health care; and

WHEREAS, Health care benefits for the working middle class citizen vary greatly, and the accessibility of health care is not assured despite the financing mechanisms available to workers;

NOW, THEREFORE, The House of Representatives of the State of Washington respectfully prays that the federal Congress shall proceed with all deliberate speed to establish a national health care system that shall set comprehensive health care as a right of all United States residents; that such a system shall be equitably financed by federal social insurance and general tax revenues; that the national health care system shall be reorganized to ensure an equal, efficient, and effective health care delivery system with free choice of health care provided without discrimination as to method; that adequate health manpower, services, and facilities shall be made available to the public;

AND FURTHER, That the national health care system should reduce reliance upon cumbersome claims paying mechanisms by providing lump sum annual or monthly payments to health delivery organizations which are close to the people, integrate health care for their members, and are able and willing to assure quality of care with freedom of choice and control costs;

AND FURTHER, That to guarantee accountability and to ensure responsiveness to the public, consumer participation shall be made a priority goal in the establishment, implementation, and maintenance of a national health care system; and

BE IT FINALLY RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Honorable Richard M. Nixon, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives,

and to each member of Congress from the State of Washington.

HOUSE RESOLUTION NO. 74-210 by Representatives Hurley, Randall, Smith, Sommers, Maxie, Freeman, Gaines, O'Brien, Hansen, Lysen, Parker, Fortson, Gallagher, North (Frances), Charette, Eng, Kilbury, Haussler, Kalich, Adams, Warnke, Bender, Martinis, Honan, Ceccarelli, Wojahn, Gaspard, Wilson, Chatalas, Winsley, Kishimoto, Garrett and Schumaker:

WHEREAS, The Legislature in the 1974 Supplemental Budget, Chapter ..., Laws of 1974 1st ex. sess. (ESSB 3253) has appropriated ..... dollars for special school levy relief; and

WHEREAS, The Legislature directed the Superintendent of Public Instruction to dispense these relief moneys through the state apportionment formula as additions to the state guaranteed per pupil support; and

WHEREAS, Such additional state moneys are intended to reduce the local school support burdens;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives requests that each school district, to the extent that it received funds through the state apportionment formula in excess of the amount anticipated when such district established its excess levies for the 1975 collection, should place a first priority on reducing such special levies; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives send sufficient copies of this resolution to the Superintendent of Public Instruction for his transmittal to each school district of the state.

HOUSE RESOLUTION NO. 74-211 by Representatives Maxie, Eng, Chatalas and O'Brien:

WHEREAS, The Office of Economic Opportunity administers many invaluable social and economic service programs for the peoples of this nation; and

WHEREAS, Under the Economic Opportunity Act of 1964, new approaches, methods, and pilot programs have successfully launched many vital and beneficial programs; and

WHEREAS, Project Headstart, Legal Services, Emergency Food and Medical Services, Senior Opportunities, and Youth Recreation and Sports Programs exemplify these meritorious endeavors; and

WHEREAS, Other essential needs are served by urban and rural community action programs, employment and investment incentives, day care projects, and community economic development efforts; and

WHEREAS, It is recognized that these commendable programs should be continued;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives, That the Congress of the United States enact and the President sign House Resolution No. 12464 or comparable legislation to extend the Economic Opportunity Act of 1964 for two additional years and appropriate \$1,440,000,000 for its operation for the fiscal year ending June 30, 1975, and for each of the two succeeding fiscal years.

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Honorable Richard M. Nixon, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

HOUSE RESOLUTION NO. 74-212 by Representatives Erickson, Maxie, Wojahn and Laughlin:

WHEREAS, The Congress of the United States passed the Economic Opportunity Act in 1964; and

WHEREAS, The Economic Opportunity Act of 1964 provided for the establishment of Community Action Agencies; and

WHEREAS, The Community Action Agencies have served as vehicles for a mobilization against poverty; and

WHEREAS, These funds are being used to carry out a wide range of programs in public and private institutions which have the affect of reducing poverty and meeting the needs of thousands of families; and

WHEREAS, No funds for the Office of Economic Opportunity and the Community Action Programs are requested by the President in his fiscal 1975 budget; and

WHEREAS, Continuation of Community Action Programs is sorely needed in the State of Washington; and

WHEREAS, The state and local governments of Washington do not possess the revenues necessary to continue these programs; and

WHEREAS, The federal government should commit itself fully to the elimination of poverty;

NOW, THEREFORE, BE IT RESOLVED, By the House Representatives, That the President and the Congress are called upon to continue to provide funds to support the Community Action Program; such funds to be administered through the Office of Economic Opportunity or some other appropriate vehicle; and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the President of the United States, the Speaker of the House of Representatives, the President of the Senate, and all members of the Washington delegation in Congress.

MEMBER'S PROTEST

Mr. Eikenberry: "Mr. Speaker and members of the body, I would just like the record to show my protest for 1974 against the practice of adopting resolutions of this sort, which I believe have nothing to do with the legislative purpose of this body. It is simply an unnecessary expense to the taxpayer."

MESSAGES FROM THE SENATE

April 23, 1974

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 670,  
HOUSE BILL NO. 1181,  
SUBSTITUTE HOUSE BILL NO. 1288,  
HOUSE BILL NO. 1363,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on SUBSTITUTE SENATE BILL NO. 3145, and has passed the bill as amended by the Free Conference Committee.

Sidney R. Snyder, Secretary.

#### RESOLUTION

HOUSE RESOLUTION NO. 74-217 by Representative Charette: BE IT RESOLVED, By the House of Representatives, That during the interim prior to the commencement of the Forty-fourth Legislature, the Committee on Rules may assign to standing committees or select committees thereof or subcommittees thereof such subjects for study as will benefit the work of the Forty-fourth Legislature,

BE IT FURTHER RESOLVED, That the House of Representatives urges the chairmen of the Standing Committees, Select Committees, or the Subcommittees to work as closely as possible with the Senate Committees and state agencies, and any reports and recommendations resulting from any such studies shall be presented to the Forty-fourth Legislature upon its convening.

On motion of Mr. Charette, House Resolution No. 74-217 was adopted.

#### MESSAGE FROM THE SENATE

April 23, 1974

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 3145,

SUBSTITUTE SENATE BILL NO. 3146,

SENATE BILL NO. 3257,

and the same are herewith transmitted.

Sidney R. Snyder, Secretary.

#### RESOLUTION

HOUSE RESOLUTION NO. 74-218 by Representative Charette:

(1) WHEREAS, the Third Extraordinary Session of the Forty-third Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the House after its adjournment and during the interim period between the close of the Third Extrarodinary Session of the Forty-third Legislature and the next Regular Session;

NOW, THEREFORE, BE IT RESOLVED, That the Chief Clerk and the Assistant Chief Clerk of the House of Representatives are directed to complete the work of the Third Extrarodinary Session of the Forty-third Legislature, and all details that arise therefrom, including the



editing, indexing, and publishing of the journal of the House for the Third Extraordinary Session; and

BE IT FURTHER RESOLVED, That the Sergeant-at-Arms is hereby directed to complete the necessary work of the Third Extrarodinary Session of the Forty-third Legislature, to see that the House Chamber, adjoining rooms, members' offices, furniture, and equipment are clean and in good order, and to make the necessary inventory of furnishings, fixtures, and supplies; and

BE IT FURTHER RESOLVED, That the Speaker and the Chief Clerk be and they are hereby authorized and directed to retain such additional employees with the approval of the Speaker, as may be necessary to complete the work of the Third Extrarodinary Session of the Forty-third Legislature and to fix their compensation therefor; and

BE IT FURTHER RESOLVED, That the Speaker and the Chief Clerk be authorized and directed to make out the necessary vouchers upon which warrants shall be drawn for the final payment of all expenses in connection with the closing business and for all other business of the House of Representatives for the Third Extrarodinary Session of the Forty-third Legislature; and

BE IT FURTHER RESOLVED, That the State Treasurer be, and is hereby directed to draw his warrants for the payment of salaries, per diems, in lieu payments, and reimbursements of and to the members of the House of Representatives, the elected officers of the House of Representatives, and the retained employees each month upon vouchers signed by the members, officers, or employees and approved by the Speaker of the House of Representatives and by the Chief Clerk of the House of Representatives, and he is authorized to deliver the warrants to the Chief Clerk of the House of Representatives for delivery or mailing to those entitled thereto; and

(2) WHEREAS, It is desirable that certain leaders of the House of Representatives attend the meetings of the Annual National Conference of State Legislative Leaders in order that the benefits of participating therein may inure to the House of Representatives;

NOW, THEREFORE, BE IT RESOLVED, That the Speaker of the House of Representatives, the Speaker Pro Tempore, and such additional members as selected by the Speaker and the Minority Floor Leader, are hereby authorized to attend the 1974 session of the Annual National Conference of State Legislative Leaders; and

BE IT FURTHER RESOLVED, That they be reimbursed for expenses incurred in attending such conferences at the per diem rate provided by RCW 44.04.120, plus mileage to and from the conferences at the rate provided by law, except that if travel was by means of common carrier then only actual fare may be claimed, said reimbursement to be paid on their vouchers from any appropriation made to the House of Representatives for legislative expense; and

(3) WHEREAS, It is desirable that the Chief Clerk of the House of Representatives and the Assistant Chief Clerk attend the annual meetings of the National Legislative Conference, annually arranged by the Council of State Governments, in order that the House of Representatives of the State of Washington may benefit from the exchange of

ideas with the legislative officials of the other states, and such benefits from the participation therein may inure to the House of Representatives in furthering the efficiency and economy of its operation;

NOW, THEREFORE, BE IT RESOLVED, That the Chief Clerk and Assistant Chief Clerk of the House be, and they are hereby authorized to attend the 1974 session of the National Legislative Conference; and

BE IT FURTHER RESOLVED, That they be reimbursed for expenses incurred in attending such conferences at the rate prescribed by RCW 43.03.050, plus mileage to and from the conferences at the rate provided by law, except that if travel was by means of common carrier then only actual fare may be claimed, said reimbursement to be paid on their vouchers out of funds appropriated for legislative expenses; and

(4) WHEREAS, It is desirable that the members of this House who are or may be members of the executive committee or of the standing committees of the Council of State Governments or its Western Conference shall attend the meetings of said Council or Conference in order that benefits from the participation therein may inure to the House of Representatives;

NOW, THEREFORE, BE IT RESOLVED, That the Speaker of the House of Representatives may authorize the attendance of said committee members at such meetings as may be held in 1974; and

BE IT FURTHER RESOLVED, That they be reimbursed for expenses incurred in attending such meetings at the per diem rate provided by RCW 44.04.120, plus mileage to and from the meetings at the rate provided by law, except that if travel was by means of common carrier only actual fare may be claimed, said reimbursement to be paid on their vouchers from any appropriation made to the House of Representatives for legislative expense; and

(5) WHEREAS, New developments in legislative processes and administration are constantly occurring; and

WHEREAS, The substantive matters requiring legislative action are becoming increasingly complex; and

WHEREAS, The Council of State Governments and other organizations are offering in the next biennium a variety of training and continuing education courses and meetings on such subjects; and

WHEREAS, The participation in such activities by members of the House and legislative staff will benefit the House in furthering the efficiency and economy of its operation;

NOW, THEREFORE, BE IT RESOLVED, That the Speaker may authorize the attendance of members and staff members at such courses or meetings or other conferences or meetings dealing with legislation or the legislative process as he may deem pertinent and may authorize the expenditure of registration or tuition fees and reimbursement for subsistence and travel for such purpose: PROVIDED, That reimbursement for members shall be at the rates prescribed by subdivision (2) of this resolution, and reimbursement for staff members shall be at rates prescribed by subdivision (3) of this resolution;

BE IT FURTHER RESOLVED, That the Speaker is authorized to approve vouchers of the members of the House, covering expenses incurred during the interim for official business of the legislature or in preparation for the sessions of the Legislature and organizational duties in connection therewith, at the per diem rate provided by RCW 44.04.120, for each day or major portion thereof, plus mileage at the rate provided by law; and

BE IT FURTHER RESOLVED, That the Chief Clerk and the Assistant Chief Clerk be and are hereby authorized and directed, during the interim, and as authorized by the Speaker, to hire any necessary employees, to order necessary supplies, equipment, and printing to enable the House to carry out its work promptly and efficiently, and to accept prefiled bills, memorials, and resolutions as directed by the Rules of the House and by Joint Rules of the Legislature; and

BE IT FURTHER RESOLVED, That the Sergeant-at-Arms be and is hereby authorized and directed, during the interim to prepare the House chambers, committee rooms, and members' offices for use, and to perform other necessary work in connection with the interim; and

BE IT FURTHER RESOLVED, That during legislative interims, the Chief Clerk of the House and the Assistant Chief Clerk shall receive their regular compensation as approved by the Speaker, together with their necessary travel expenses in connection therewith at the rate prescribed by RCW 43.03.050, plus mileage at the rate provided by law, for the purpose of jointly attending to all duties of their respective offices, including the supervision of the preparation of monthly payrolls, preparation of members' expense vouchers, mailing of warrants, and attending to necessary correspondence and all other duties in connection with the business of the House of Representatives; and to be in attendance for the purpose of providing advice, counsel, and information when the Chamber is used for such purposes as the YMCA Youth Legislature and the Governor's Industrial Safety Conference; and

BE IT FURTHER RESOLVED, That during legislative interims, the Sergeant-at-Arms of the House shall receive his regular compensation as approved by the Speaker, together with necessary travel expenses in connection therewith at the per diem rate prescribed by RCW 43.03.050, plus mileage at the rate provided by law, to oversee all House facilities and equipment and any repairs thereto, and be in attendance when the House Chamber is being used for such purposes as the YMCA Youth Legislature and the Governor's Industrial Safety Conference; and

BE IT FURTHER RESOLVED, That after the adjournment of the Third Extrarodinary Session of the Forty-third Legislature the use of the House Chamber, any of its committee rooms, members' offices, or any of the furniture or furnishings therein, shall not be granted to anyone without the permission of the Speaker and the Chief Clerk of the House of Representatives; and

BE IT FURTHER RESOLVED, That the Chief Clerk is authorized to express the sympathy of the House by sending

flowers in the event of a bereavement in a Representative's family; and

BE IT FURTHER RESOLVED, That the Chief Clerk be authorized to make out the necessary vouchers upon which warrants for the foregoing expenses and expenditures shall be drawn.

On motion of Mr. Charette, House Resolution No. 74-218 was adopted.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) stated that the Speaker was about to sign:

SUBSTITUTE SENATE BILL NO. 3145,  
SUBSTITUTE SENATE BILL NO. 3146,  
SENATE BILL NO. 3257.

MESSAGE FROM THE SENATE

April 24, 1974

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 155,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

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

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 155, by Senators Mardesich and Bailey:

Extending 3rd ex. sess. one day.

MOTIONS

On motion of Mr. Charette, the rules were suspended, and Senate Concurrent Resolution No. 155 was advanced to second reading and read the second time in full.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 155 was placed on final passage.

Senate Concurrent Resolution No. 155 was adopted.

MESSAGES FROM THE SENATE

April 23, 1974

Mr. Speaker:

The Senate has concurred in the House amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 3283, and has passed the bill as amended by the House.

Sidney R. Snyder, Secretary.

April 23, 1974

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 3283,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

April 24, 1974

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 155,

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) stated that the Speaker was about to sign:

SECOND SUBSTITUTE SENATE BILL NO. 3283.

SENATE AMENDMENTS TO HOUSE BILL \*

April 23, 1974

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1301 with the following amendments:

On page 1, after the enacting clause strike the remainder of the bill and insert the following:

"NEW SECTION. Section 1. This 1974 act is intended to stimulate the economy of the state, and thereby to increase the revenues of the state and its local taxing districts. The department of revenue shall review the impact of this 1974 act upon the economy and revenues of the state and its local taxing districts, and shall report thereon biennially to the legislature. Recommendations for additional legislation shall be included in such reports if such legislation is needed to assure that the economic stimulus provided by this 1974 act is balanced by increased revenues.

NEW SECTION. Sec. 2. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

For each of the calendar years 1974 through 1983, a percentage as set forth below, of any personal property taxes paid before delinquency after the effective date of this 1974 act by any taxpayer upon business inventories during the same calendar year shall be allowed as a credit against the total of any taxes imposed on such taxpayer or its successor by chapter 82.04 RCW (business and occupation tax), as follows:

Inventory taxes paid in 1974.....ten percent  
 Inventory taxes paid in 1975.....twenty percent  
 Inventory taxes paid in 1976.....thirty percent  
 Inventory taxes paid in 1977.....forty percent  
 Inventory taxes paid in 1978.....fifty percent  
 Inventory taxes paid in 1979.....sixty percent  
 Inventory taxes paid in 1980.....seventy percent  
 Inventory taxes paid in 1981.....eighty percent

Inventory taxes paid in 1982.....ninety percent  
Inventory taxes paid in 1983.....one hundred percent  
NEW SECTION. Sec. 3. There is added to chapter 15, Laws of 1961 and to chapter 84.40 RCW a new section to read as follows:

Commencing with assessment as of January 1, 1983, for taxes due in 1984 business inventories shall be fully exempt under chapter 84.36 RCW. 'Business inventories' shall have the meaning given to it in section 4 of this 1974 act.

Commencing with January 1, 1984, assessments for taxes due in 1985, taxpayers shall not be required to report, or assessors to list, the business inventories covered by this phase out exemption.

NEW SECTION. Sec. 4. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

For the purposes of this chapter:

'Business inventories' means all livestock and means personal property acquired or produced solely for the purpose of sale, or for the purpose of consuming such property in producing for sale a new article of tangible personal property of which such property becomes an ingredient or component. It shall include inventories of finished goods and work in process.

'Successor' shall have the meaning given to it in RCW 82.04.180.

NEW SECTION. Sec. 5. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

(1) Each taxpayer requesting business and occupation tax credit under section 2 of this 1974 act shall verify, by completing and signing a form prepared and made available by the department of revenue, payment of business inventory taxes on which such credit is based.

(2) Any person signing a false claim with the intent to defraud or evade the payment of any tax shall be guilty of a gross misdemeanor.

NEW SECTION. Sec. 6. There is added to chapter 15, Laws of 1961 and to chapter 82.04 RCW a new section to read as follows:

If the department of revenue finds that any taxpayer received any tax credit under section 2 of this 1974 act based on false or fraudulent information supplied by such taxpayer the amount of taxes avoided thereby shall be collected together with statutory interest thereon, and in addition a twenty-five percent penalty shall be due thereon for a period of not to exceed three years.

NEW SECTION. Sec. 7. There is added to chapter 15, Laws of 1961 and to chapter 84.36 RCW a new section to read as follows:

Commencing with assessment as of January 1, 1984, for taxes due in 1985 business inventories shall be fully exempt under chapter 84.36 RCW. 'Business inventories' shall have the meaning given to it in section 4 of this 1974 act.

Commencing with January 1, 1984, assessments for taxes due in 1985, taxpayers shall not be required to report, or

assessors to list, the business inventories covered by this phase out exemption.

NEW SECTION. Sec. 8. There is added to chapter 15, Laws of 1961 and to chapter 84.36 RCW a new section to read as follows:

All animals, birds, or insects, and all agricultural or horticultural produce or crops, including the milk, egg, wool, fur, meat, honey, or such other substance therefrom shall be assessed for the purposes of ad valorem taxes according to the following schedule:

Commencing with assessment as of January 1, 1975, for taxes due in 1976 the assessment level shall be seventy-five percent of true and fair value.

Commencing with assessment as of January 1, 1976, for taxes due in 1977 the assessment level shall be seventy percent of true and fair value.

Commencing with assessment as of January 1, 1977, for taxes due in 1978 the assessment level shall be sixty percent of true and fair value.

Commencing with assessment as of January 1, 1978, for taxes due in 1979 the assessment level shall be fifty percent of true and fair value.

Commencing with assessment as of January 1, 1979, for taxes due in 1980 the assessment level shall be forty percent of true and fair value.

Commencing with assessment as of January 1, 1980, for taxes due in 1981 the assessment level shall be thirty percent of true and fair value.

Commencing with assessment as of January 1, 1981, for taxes due in 1982 the assessment level shall be twenty percent of true and fair value.

Commencing with assessment as of January 1, 1982, for taxes due in 1983 the assessment level shall be ten percent of true and fair value.

Commencing with assessment as of January 1, 1983, for taxes due in 1984 such inventories shall be fully exempt under chapter 84.36 RCW.

Commencing with January 1, 1983, assessments for taxes due in 1984, taxpayers shall not be required to report, or assessors to list, the inventories covered by this phase out exemption.

NEW SECTION. Sec. 9. There is added to chapter 15, Laws of 1961 and to chapter 84.40 RCW a new section to read as follows:

The department of revenue shall promulgate such rules and regulations, and prescribe such procedures as it deems necessary to carry out sections 1 through 8 of this 1974 act.

NEW SECTION. Sec. 10. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 11. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect on May 10, 1974."

On line 1 of the title after 'taxation;' strike the remainder of the title and insert the following: "adding new sections to chapter 15, Laws of 1961 and to chapter 82.04 RCW; adding new sections to chapter 15, Laws of 1961 and to chapter 84.36 RCW; adding new sections to chapter 84.40 RCW; creating new sections; and declaring an emergency."

and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

#### MOTION

Mr. Randall moved that the House concur in the Senate amendments to House Bill No. 1301.

Representatives Randall and Parker spoke in favor of the motion.

The motion was carried.

#### FINAL PASSAGE OF HOUSE BILL AS AMENDED BY SENATE

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 1301 as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1301 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 77; nays, 10; not voting, 11.

Voting yea: Representatives Adams, Amen, Bagnariol, Barnes, Bauer, Bausch, Bender, Benitz, Berentson, Blair, Bluechel, Brown, Ceccarelli, Charette, Chatalas, Clemente, Conner, Cunningham, Curtis, Eikenberry, Ellis, Erickson, Flanagan, Fortson, Freeman, Gaines, Gallagher, Garrett, Gaspard, Gilleland, Goltz, Hansen, Hansey, Haussler, Hawkins, Hayner, Hendricks, Hoggins, Honan, Jastad, Jueling, Julin, Kalich, Kilbury, King, Kishimoto, Knowles, Kopet, Kraabel, Kuehnle, Laughlin, Luders, Martinis, Matthews, Morrison, Nelson, Newhouse, North F., North L., O'Brien, Pardini, Paris, Parker, Patterson, Polk, Pullen, Randall, Schumaker, Shinoch, Smith, Tilly, Van Dyk, Warnke, Wilson, Winsley, Wojahn, and Mr. Speaker.

Voting nay: Representatives Charnley, Douthwaite, Ehlers, Eng, Hurley, Maxie, Moon, Thompson, Valle, Williams.

Not voting: Representatives Anderson, Johnson, Leckenby, Lysen, May, McCormick, Perry, Rabel, Savage, Sommers, Zimmerman.

Engrossed House Bill No. 1301 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Speaker assumed the Chair.



COMMITTEE FROM SENATE

A committee from the Senate appeared before the bar of the House to notify the House that the Senate was about to adjourn sine die.

The message was received by the Speaker, and the committee retired.

MESSAGE FROM THE SENATE

April 24, 1974

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 156,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

MOTION

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

INTRODUCTION AND FIRST READING

SENATE CONCURRENT RESOLUTION NO. 156, by Senators Bailey and Mardesich:

Adjourning the third extraordinary session of the 43rd Legislature, sine die.

MOTIONS

On motion of Mr. Charette, the rules were suspended, and Senate Concurrent Resolution No. 156 was advanced to second reading and read the second time in full.

On motion of Mr. Charette, the rules were suspended, the second reading considered the third, and Senate Concurrent Resolution No. 156 was placed on final passage.

Senate Concurrent Resolution No. 156 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 74-216 by Representative Charette:  
BE IT RESOLVED, By the House of Representatives, That a committee of three be appointed to notify the Senate that the House is about to adjourn sine die.

On motion of Mr. Charette, House Resolution No. 74-216 was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of House Resolution No. 74-216, the Speaker appointed Representatives Eikenberry, Ceccarelli and Warnke to notify the Senate that the House was about to adjourn sine die.

## APPOINTMENT OF SPECIAL COMMITTEE

Under the provisions of Senate Concurrent Resolution No. 156, the Speaker appointed Representatives Chatalas, Newhouse and O'Brien to notify the Governor that the House was about to adjourn sine die.

## MESSAGE FROM THE SENATE

April 24, 1974

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 156,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

HOUSE BILL NO. 1301,  
SENATE CONCURRENT RESOLUTION NO. 155.

## REPORT OF SPECIAL COMMITTEE

The special committee appointed to notify the Senate that the House was about to adjourn sine die appeared before the bar of the House and reported that they had performed their mission.

## APPOINTMENT OF MEMBER TO INTERIM COMMITTEE

The Speaker announced the appointment of Representative Maxie to the Council on Higher Education, and Representatives Shinpoch and Amen as ex officio members.

## RESOLUTION

HOUSE RESOLUTION NO. 74-215 by Representative Charette: BE IT RESOLVED, by the House of Representatives, That all bills in possession of the Chief Clerk, Committees, or Committee Clerks be indefinitely postponed.

On motion of Mr. Charette, House Resolution No. 74-215 was adopted.

## MESSAGE FROM THE SENATE

April 24, 1974

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1301,  
and the same is herewith transmitted.

Sidney R. Snyder, Secretary.

## SIGNED BY THE SPEAKER

The Speaker announced that he was about to sign:

SENATE CONCURRENT RESOLUTION NO. 156.

## MOTION

On motion of Mr. Charette, reading of the Journal of the Forty-first Day of the Third Extraordinary Session of the Forty-third Legislature was dispensed with and it was ordered to stand approved.

## REPORT OF SPECIAL COMMITTEE

The special committee appointed to notify the Governor that the House was about to adjourn sine die appeared before the bar of the House and reported that they had performed their mission.

## MOTION

On motion of Mr. Charette, the House of Representatives of the Third Extraordinary Session of the Forty-third Legislature adjourned sine die.

LEONARD A. SAWYER, Speaker.

DEAN R. FOSTER, Chief Clerk.

JOURNAL OF THE HOUSE

HOUSE LEGISLATIVE LEADERS - 1974

Speaker.....Leonard A. Sawyer  
Speaker Pro Tempore.....John L. O'Brien  
Majority Floor Leader.....Robert L. Charette  
Majority Whip.....Paul H. Conner  
Majority Caucus Chairman.....William "Bill" Chatalas  
Assistant Majority Floor Leader.....Alan Thompson  
Assistant Majority Whip.....Dan Van Dyk  
Majority Caucus Secretary.....Lorraine Wojahn  
Minority Leader.....Irving Newhouse  
Minority Caucus Chairman.....Robert "Bob" Curtis  
Minority Organization Leader.....Sid Morrison  
Minority Whip.....A. J. "Bud" Pardini  
Minority Caucus Secretary.....Lois North  
Assistant Minority Floor Leader.....Axel Julin  
Assistant Minority Floor Leader.....Duane L. Berentson  
Minority Caucus Coordinator.....William M. Polk  
Assistant Minority Whip.....Kenneth O. Eikenberry

APPENDIX  
HOUSE ROSTER - 1974  
FORTY-THIRD LEGISLATURE  
THIRD EXTRAORDINARY SESSION

LEONARD A. SAWYER, Speaker

DEAN R. FOSTER, Chief Clerk

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Adams, A. A.....	3418 Shorecliff Dr. N.E. Tacoma 98422	73	Washington	Chiropractor	27 D		Pierce, pt.....	1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.
Amen, Otto.....	Rt. 1, Box 45 Ritzville 99169	61	Washington	Farmer, Pharmacist	9 R		Adams, Asotin, Garfield, Columbia, pt. Grant, pt. Whitman, pt....	1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
Anderson, Eric O.....	627 Grand Avenue Hoquiam 98550	71	New Zealand	Retired	19 D		Pacific, Grays Harbor, pt.....	1961-61 Ex.-63-63 Ex. 65-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.
Bagnariol, John.....	2008 S.E. 17th Ct. Renton 98055	41	Washington	Insurance	11 D		King, pt. ....	1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
Barnes, Richard O.....	18118 6th Ave. SW Seattle 98166	52	Iowa	Systems Analyst	33 R		King, pt. ....	None
Bauer, Albert.....	13611 N.E. 20th Vancouver 98665	45	Montana	Teacher	49 D		Clark, pt. ....	1971-71 Ex.-72 Ex. 73-73 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Bausch, Del.....	1359 So. 2nd Ave. Tumwater 98502	38	Washington	Longshoreman	22 D	Thurston, pt....		73-73 Ex. 1961-61 Ex.-63-63 Ex. 65-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex.-71- 71 Ex.-72 Ex.-73-73 Ex
Beck, C. W. "Red"...	2400 Beach Drive Port Orchard	65	Indiana	Property Manager	26 D	Kitsap, pt. Pierce, pt.....		71 Ex.-72 Ex.-73-73 Ex
Bender, Rick S.....	3511 N.E. 158th Seattle 98155	24	Alaska	Student	1 D	King, pt. Snohomish, pt..		1973-73 Ex.
Benitz, Max E.....	Rt. 2, Box 181 Prosser 99350	57	Kansas	Agriculture	8 R	Yakima, pt. Benton, pt.....		1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.
Berentson, Duane L.....	P. O. Box 426 Burlington 98233	45	Washington	Broker, Dealer in Securities	40 R	San Juan Skagit Whatcom, pt....		1963-63 Ex.-65-65 Ex. 67-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex.-72 Ex.-73-73 Ex.
Blair, Scott.....	8712 25th Ave.NE Seattle 98115	43	Washington	Mechanical Engineer	46 R	King, pt.....		1971-71 Ex.-72 Ex. 73-73 Ex.
Bluechel, Alan.....	12534 68th Ave.NE Kirkland 98033	49	Canada	Pres.-Loctwall Corporation	45 R	King, pt.....		1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex.- 72 Ex.-73-73 Ex.
Brown, Arthur C.....	16020 Densmore N. Seattle 98133	52	Georgia	Systems Analyst	1 R	King, pt. Snohomish, pt..		1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.

Ceccarelli, Dave.....	1330 Harbor Ave. SW Seattle 98116	40	Washington	Real Estate	34	D	King, pt.....	1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
Charette, Robert L.....	P. O. Box 63 Aberdeen 98520	50	Washington	Attorney	19	D	Pacific, Grays Harbor, pt.....	Senate 1963-63 Ex. 65-65 Ex.- House- 67- 67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 73-73 Ex.
Charnley, Donn.....	19344 11th Ave. NW Seattle 98177	45	Michigan	Professor	44	D	King, pt.....	1971-71 Ex.-72 Ex. 73-73 Ex.
Chatalas, Wm. "Bill"....	4803 42nd Ave. S. Seattle 98118	66	Turkey	Real Estate & Business Consultant	35	D	King, pt.....	1961-61 Ex.-63-63 Ex. 65-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex.-71- 71 Ex.-72 Ex.-73- 73 Ex.
Clemente, Art.....	4422 228th SE Bothell 98011	48	Washington	Cement Mason	39	D	King, pt Snohomish, pt...	73-73 Ex.
Conner, Paul H.....	Rt. 4, Box 355 Sequim 98382	48	Washington	Real Estate Logger	24	D	Clallam Mason Jefferson Thurston, pt....	1959-59 Ex.-61-61 Ex. 63-63 Ex.-65-65 Ex. 67-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
Cunningham, John E.....	P. O. Drawer 89307 Seattle 98188	42	Illinois	Manufacturer	33	R	King, pt.....	1973-73 Ex.
Curtis, Robert "Bob"..	P. O. Box 0188 East Wenatchee	40	Washington	Travel Agent	12	R	Chelan, Douglas Grant, pt. Okanogan, pt....	1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Douthwaite, Jeff.....	5518 31st NE Seattle 98105	44	Canada	Professor	43 D	King, pt.....		1971-71 Ex.-72 Ex. 73-73 Ex.
Ehlers, Wayne.....	13203 South J Tacoma 98444	35	Washington	Educator	2 D	Pierce, pt. Thurston, pt...		1973-73 Ex.
Eikenberry, Kenneth O.....	1644 32nd Ave. W. Seattle 98199	41	Washington	Attorney	36 R	King, pt.....		1971-71 Ex.-72 Ex. 73-73 Ex.
Ellis, Edward G.....	304 N. 61st Ave. Yakima 98902	31	Washington	Student	14 D	Yakima, pt.....		1973-73 Ex.
Eng, John.....	2805 S. Byron St. Seattle 98144	31	Hong Kong	Accountant	37 D	King, pt.....		1973-73 Ex.
Erickson, Phyllis K.....	P. O. Box 44443 Parkland 98444	50	Texas	Homemaker	2 D	Pierce, pt. Thurston, pt...		1973-73 Ex.
Flanagan, S. E. "Sid"...	Rt. 1, Box 205 Quincy 98848	64	Washington	Farmer Cattleman	13 R	Kittitas Grant, pt. Yakima, pt.....		1961-61 Ex.-63-63 Ex. 65-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex.-71- 71 Ex.-72 Ex.-73- 73 Ex.
Fortson, Eleanor A.....	4008 SW Camano Dr. Camano Island	66	Washington	Homemaker	10 D	Island Snohomish, pt..		1973-73 Ex.
Freeman, Kemper.....	P. O. Box 1012 Bellevue 98009	32	Washington	Shopping Center Leasing	48 R	King, pt.....		1973-73 Ex.
Gaines,	24 "B" St. NE			Mgr-Auburn				



Robert E.....	Auburn 98002	50	Montana	Chamber/Comm.	30	D	King, pt.....	1973-73 Ex.	
									1961-61 Ex.-63-63 Ex. 65-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Gallagher, P. J. "Jim"...	125 S. 72nd Tacoma 98408	58	Washington	Public Relations	29	D	Pierce, pt.....	73-73 Ex.	
Garrett, Donald G.....	Rt. 8, Box 750 Yakima 98902	48	Oregon	Real Estate	14	R	Yakima, pt.....	73 Ex.	1972 Ex.-73-
Gaspard, Marc.....	1313 N.E. 25th Puyallup 98371	25	Washington	Student	25	D	King, pt. Pierce, pt.....	1973-73 Ex.	
Gilleland, James.....	3234 Hunts Pt. Rd. Bellevue 98004	56	Washington	Owner/Pres. Oil Company	48	R	King, pt.....	73-73 Ex.	1971-71 Ex.-72 Ex.
Goltz, H. A.....	3003 Vallette Bellingham 98225	49	Minnesota	College Administrator	42	D	Whatcom, pt....	1973-73 Ex.	
Hansen, Frank "Tub"...	9018A McConnell Dr. Moses Lake 98837	59	Washington	Rancher	13	D	Kittitas, Grant,pt. Yakima, pt.....	1973-73 Ex.	
Hansey, Donald G.....	1551 Lakewood Lane Bellingham 98225	44	Washington	Poultry Hatcheryman	40	R	Whatcom.....	72 Ex.-73-73 Ex.	1971-71 Ex.
									Ferry, Lincoln 1963-63 Ex.-65- Pend Oreille 65 Ex.-67-67 Ex. Stevens 69-69 Ex.-70 Ex. Okanogan, pt. 71-71 Ex.-72 Ex. Spokane, pt.... 73-73 Ex.
Haussler, Joe D.....	Box 949 Omak 98841	71	Texas	Orchardist	7	D			
Hawkins, John R.....	3102 N. Monroe Tacoma 98407	32	Washington	Associate Planner	16	D	Kitsap, pt. Pierce, pt.....	None	

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Hayner, Jeannette C...	830 E. Chestnut Walla Walla 99362		Oregon	Homenaker	16 R		Franklin Walla Walla Columbia, pt...	1973-73 Ex.
Hendricks, John L.....	1923 Water St. Olympia, 98501	60	Washington	Pharmacist	22 R		Thurston, pt...	1973-73 Ex.
Hoggins, Dale E.....	21826 95th Ave. W. Edmonds 98020	41	Washington	Elementary Principal	21 R		Snohomish, pt..	1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
Honan, John A.....	4301 N. Frace Tacoma 98407	55	Canada	Restaurant Owner	26 R		Kitsap, pt. Pierce, pt.....	None
Hurley, Margaret.....	E. 730 Boone Spokane 99202		Minnesota	Teacher	3 D		Spokane, pt....	1953-53 Ex.-55-55 Ex. 57-59-59 Ex.-61-61 Ex. 63-63 Ex.-65-65 Ex. 67-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
Jastad, Elmer.....	Box 67 Morton 98356	67	Washington	Pharmacist	20 D		Lewis Wahkiakum Cowlitz, pt. Pacific, pt. Thurston, pt...	1965-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.
Johnson, Doris J.....	737 Tacoma Place Kennewick 99336	50	Washington	Educator	8 D		Yakima, pt. Benton, pt.....	1965-65 Ex.-67-67 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.

								1961-61 Ex.-63-63 Ex. 65-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.	
Jueling, Helmut L.....	215 Contra Costa Tacoma 98466	60	Nebraska	Owner/ White Hand Linen Supply Co.	28	R	Pierce, pt.....		
Julin, Axel C.....	4615 Lake Wash- ington Blvd. S.E. Bellevue 98006	55	Idaho	Lawyer	41	R	King, pt.....	1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.	
Kalich, Hugh.....	2224 18th Ave. Chehalis 98532	52	Washington	Real Estate	20	D	Lewis, Wahkiakum Cowlitz, pt. Pacific, pt. Thurston, pt...	1965-65 Ex.-67- 67 Ex.-69-69 Ex. 70 Ex.-73-73 Ex.	
Kelley, Richard J.....	P. O. Box 3302 Tacoma 98499	28	Washington	Attorney	28	D	Pierce, pt.....	1973-73 Ex.	
Kilbury, Charles D....	Box 2482 Pasco 99302	54	Washington	Insurance Broker	16	D	Franklin Walla Walla Columbia, pt...	1971-71 Ex.-72 Ex. 73-73 Ex.	
King, Richard A....	309 77th Pl. SW Everett 98201	39	Washington	College Teacher	38	D	Snohomish, pt..	1965-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex.-71- 71 Ex.-72 Ex.-73- 73 Ex.	
Kishimoto, Richard N....	11424 Summit Ridge Dr. Vancouver 98665	34	Hawaii	Field Service Mgr.-Xerox	49	R	Clark, pt.....	None	
Knowles, Walt O.....	W. 925 Sprague Spokane 99204	57	Washington	Attorney	4	D	Spokane, pt. Whitman, pt....	1971-71 Ex.-72 Ex. 73-73 Ex.	

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Kopet, Jerry C.....	1728 S. Lincoln St. Spokane 99203	62	Oregon	Pharmacist	6	R	Spokane, pt....	1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
Kraabel, Paul B.....	7728 29th N.E. Seattle 98115	40	Washington	Electronic Engineer	46	R	King, pt.....	1971-71 Ex.-72 Ex. 73-73 Ex.
Kuehnlé, James P.....	S. 1122 Skyline Pl. Spokane 99206	49	Iowa	Real Estate	4	R	Spokane, pt. Whitman, pt....	1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.
Laughlin, Eugene L.....	734 NW 23rd Ave. Camas 98607	35	Illinois	Teacher	17	D	Klickitat Skamania Clark, pt.....	1973-73 Ex.
Leckenby, Bill.....	9105 Fauntleroy Way SW Seattle 98136	63	Washington	Chairman Leckenby Co.	34	R	King, pt.....	1967-67 Ex.-69-69 Ex. 70 Ex.-73-73 Ex.
Luders, Edward T.....	N. 5620 Moore Spokane 99208	45	Washington	Teacher	5	D	Spokane, pt....	1971-71 Ex.-72 Ex. 73-73 Ex.
Lysen, King.....	12844 Shorecrest Dr. S. W. Seattle 98146	31	Minnesota	Program Coordi- nator-Seattle Youth Division	31	D	King, pt.....	1971-71 Ex.-72 Ex. 73-73 Ex.
Martinis, John.....	1917 Broadway Everett 98201	43	Washington	Retail Merchant	38	D	Snohomish, pt..	1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.
Matthews, Gary Lee.....	14157 123rd Ave. NE Kirkland 98033	29	Washington	Health Care Administrator	45	R	King, pt.....	1973-73 Ex.

Maxie, Peggy Joan....	3302 E. Pine Seattle 98122	37	Texas	Student/Family Counselor	37	D	King, pt.....	1971-71 Ex.-72 Ex. 73-73 Ex.
								1961-61 Ex.-63- 63 Ex.-65-65 Ex. 67-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
May, William J.S....	W. 3231 Boone Rd. Spokane 99201	71	England	Retired	3	D	Spokane, pt....	1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.
McCormick, Geraldine.....	W. 1829 Northridge Ct. Spokane 99208		Washington	Homemaker	5	D	Spokane, pt....	1963-63 Ex.-65-65 Ex. 67-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
Moon, Charles.....	Rt. 2, Box 427A Snohomish 98290	50	Wyoming	Veterinarian	39	D	King, pt. Snohomish, pt..	1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
Morrison, Sid W.....	Rt. 1, Box 220AA Zillah 98953	40	Washington	Fruit Grower	15	R	Yakima, pt.....	70 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
Nelson, Gary A.....	18423 High Street Edmonds 98020	37	Washington	Engineer Supr. Technical Ed.	21	R	Snohomish, pt..	1973-73 Ex.
Newhouse, Irving.....	Rt. 1, Box 130 Mabton 98935	53	Washington	Farming, Cattle Feeding	15	R	Yakima, pt.....	1965-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex.-71- 71 Ex.-72 Ex.-73- 73 Ex.
North, Frances.....	Box 441 North Bend 98045	54	Washington	Teacher & Realtor	47	D	King, pt.....	1973-73 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
North, Lois.....	10126 Radford Ave. NW Seattle 98177		California	Homemaker	44 R	King, pt.....		1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.
								1941-43-44 Ex.-45-49- 50 Ex.-51-51 Ex.-53- 53 Ex.-55-55 Ex.-57- 59-59 Ex.-61-61 Ex. 63-63 Ex.-65-65 Ex. 67-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
O'Brien, John L.....	1305 Joseph Vance Bldg. Seattle 98101	62	Washington	CPA	35 D	King, pt.....		1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.
Pardini, A. J. "Bud"...	E. 1625 20th Ave. Spokane 99203	41	Pennsylvania	Bank Executive	6 R	Spokane, pt....		1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.
Paris, William.....	620 Oregon Way Longview 98632	46	Oklahoma	Minister	18 R	Cowlitz, pt. Clark, pt.....		1971-71 Ex.-72 Ex. 73-73 Ex.
Parker, Mike.....	5434 South I Tacoma 98408	26	Washington	Medical Service Representative	29 D	Pierce, pt.....		1973-73 Ex.
Patterson, E. G. "Pat"...	N.E. 400 Campus Pullman 99163	54	Washington	Director Alumni Relations	9 R	Adams, Asotin, Garfield, Columbia, pt. Grant, pt. Whitman, pt....		1973-73 Ex.
								1959-59 Ex.-61-61 Ex. 63-63 Ex.-65-65 Ex. 67-67 Ex.-69-69 Ex.

Perry, Robert A.....	1154 N. 92nd St. Seattle 98103	52	New York	Electrical Construction	32	D	King, pt.....	70 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
Polk, William M.....	7220 92nd Ave. SE Mercer Island	38	Texas	Architect	41	R	King, pt.....	1971-71 Ex.-72 Ex. 73-73 Ex.
Pullen, Kent E.....	22844 172nd Ave. S.E. Kent 98031	31	Texas	Chemist	47	R	King, pt.....	1973-73 Ex.
Rabel, John B.....	241 So. Lander Seattle 98134	32	Washington	Machinery Distributor	43	R	King, pt.....	1971-71 Ex.-72 Ex. 73-73 Ex. 1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Randall, Robert W.....	2528 Wheaton Way Bremerton 98310	52	Illinois	Optometrist	23	D	Kitsap, pt.....	73-73 Ex.
								1939-41-43-44 Ex. 51-51 Ex.-53-53 Ex. 55-55 Ex.-57-63- 63 Ex.-65-65 Ex. 69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.
Savage, Charles R.....	2011 King Street Shelton 98584	67	Wisconsin	Logging	24	D	Thurston, pt...	Clallam Mason Jefferson 73-73 Ex.
								1955-55 Ex.-57-59- 59 Ex.-61-61 Ex. 63-63 Ex.-65-65 Ex. 67-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
Sawyer, Leonard A.....	2723 E. Main Puyallup 98371	48	Washington	Attorney	25	D	King, part Pierce, pt.....	Ferry, Lincoln Pend Oreille Stevens 1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. 73-73 Ex.
Schumaker, Wm. "Bill"....	208 W. 5th Colville 99114	58	Washington	Sporting Goods	7	R	Spokane, pt....	73-73 Ex.

NAME OF MEMBER	Mailing Address	Age	Birthplace	Occupation	Dis- trict	Poli- tics	County	Previous Sessions Served
Shinpoch, A. N. "Bud".....	361 Maple NW Renton 98055	49	Oklahoma	Industrial Engineer	11 D	King, pt.....		1970 Ex.-71-71 Ex. 72 Ex.-73-73 Ex.
Smith, Rick.....	P. O. Box 68 Silverdale 98383	32	Oregon	Attorney	23 D	Kitsap, pt.....		1973-73 Ex.
Sommers, Helen.....	2516 14th W. Seattle 98119	41	New Jersey	Economist	36 D	King, pt.....		1973-73 Ex. 1965-65 Ex.-67-67 Ex. 69-69 Ex.-70 Ex. 71-71 Ex.-72 Ex.
Thompson, Alan.....	112 Pleasant Hill Lane Kelso 98626	46	Iowa	Publisher	18 D	Cowlitz, pt. Clark, pt.....		73-73 Ex.
Tilly, Earl F.....	1509 Jefferson St. Wenatchee 98801	39	Oregon	Mgr/Tilly Equipment Co.	12 R	Chelan, Douglas Grant, pt. Okanogan, pt...		1973-73 Ex.
Valle, Georgette.....	1434 S.W. 137th Seattle 98166	49	Minnesota	Homemaker	31 D	King, pt.....		1965-65 Ex. 73-73 Ex.
Van Dyk, Dan.....	7585 Noon Rd. Lynden 98264	30	Washington	Owner/Opr. Vandy Farm	42 D	Whatcom, pt.....		1971-71 Ex.-72 Ex. 73-73 Ex.
Warnke, Frank J.....	2723 East Main Puyallup 98371	40	Montana	Exec. Dir. Pub. School Emp.	30 D	King, pt.....		1965-65 Ex. 73-73 Ex.
Williams, Alvin C.....	6501 Phinney N. Seattle 98103	43	No. Dakota	Architect	32 D	King, pt.....		1970 Ex.-71-71-Ex. 72 Ex.-73-73 Ex.
Wilson,	P. O. Box 145			Newspaper		Island		



Simeon "Sim"..Marysville 98270 46	Oregon	Publisher	10	R	Snohcmish, pt..1973-73 Ex.
Winsley, Shirley.....Tacoma 98466	Minnesota	Dir. Appeals Pierce Co. Tax	28	D	Pierce, pt.....None
Wojahn, Lorraine.....Tacoma 98404 53	Washington	Public Relations	27	D	1969-69 Ex.-70 Ex. 71-71 Ex.-72 Ex. Pierce, pt.....73-73 Ex.
Zimmerman, Harold S.....Camas 98607 50	No. Dakota	Newspaper Ed.- Publisher	17	R	Klickitat Skamania Clark, pt.....72 Ex.-73-73 Ex. 1967-67 Ex.-69-69 Ex. 70 Ex.-71-71 Ex.

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NAME OF ELECTED OFFICER	Title	Residence	County	Birthplace	Age	Occupation	Legislative Sessions Served
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Foster, Dean R.....Chief Clerk	1908 S. Washington Olympia, 98501	Thurston	Washington	32	Chief Clerk	1973-73 Ex.
Wilson, Donald R....Chief Clerk	Rt. 3, Box 271 Olympia, 98501	Thurston	Washington	52	Locomotive Engineer	Senate 1959-1970 House-1970-1973
Olsen, Ray L.....at Arms	4212 E. Edgewater Seattle 98112	King	Oregon	68	Retired	House 1951- 1967 (as member) 1973-73 Ex.

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STANDING COMMITTEES OF THE HOUSE  
OF REPRESENTATIVES, 1974

LEONARD A. SAWYER, Speaker  
DEAN R. FOSTER, Chief Clerk

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AGRICULTURE-(11) Kilbury, Chairman; Laughlin, Vice Chairman; Amen, Benitz, Charette, Hansen, Hansey, Haussler, Schumaker, Tilly, Van Dyk.

COMMERCE-(18) Wojahn, Chairwoman; Jastad, Vice Chairman; Adams, Bagnariol, Ceccarelli, Curtis, Gallagher, Garrett, Gilleland, Juelling, Kuehnle, Leckenby, O'Brien, Newhouse, Perry, Randall, Williams, Wilson.

CONSTITUTION AND ELECTIONS-(11) King, Chairman; Fortson, Vice Chairwoman; Barnes, Brown, Eng, Erickson, Hawkins, Hayner, Knowles, Maxie, Rabel.

ECOLOGY-(16) Luders, Chairman; Valle, Vice Chairwoman; Bauer, Bluechel, Charnley, Douthwaite, Goltz, Hawkins, Kraabel, McCormick, Nelson, North (Lois), Pullen, Smith, Wilson, Zimmerman.

EDUCATION-(18) Bauer, Chairman; Ellis, Vice Chairman; Barnes, Bender, Brown, Clemente, Ehlers, Eng, Fortson, Hayner, Hendricks, Hoggins, Johnson, Kishimoto, Lysen, Pullen, Tilly, Warnke.

FINANCIAL INSTITUTIONS-(15) Ceccarelli, Chairman; Gaspard, Vice Chairman; Bagnariol, Blair, Chatalas, Eikenberry, Winsley, Leckenby, Luders, Matthews, Moon, Pardini, Parker, Polk, Van Dyk.

HIGHER EDUCATION-(15) Maxie, Chairwoman; Goltz, Vice Chairman; Anderson, Benitz, Berentson, Charnley, Erickson, Freeman, Knowles, Kraabel, Patterson, Rabel, Valle, Wojahn.

JUDICIARY-(12) Knowles, Chairman; Smith, Vice Chairman; Eikenberry, Gaspard, Hayner, Julin, Maxie, Newhouse, North (Lois), Shinpoch, Sommers, Winsley.

LABOR-(12) Savage, Chairman; Warnke, Vice Chairman; Bausch, Cunningham, Freeman, Hawkins, King, Kopet, Matthews, May, Morrison, Parker.

LOCAL GOVERNMENT-(20) Haussler, Chairman; Douthwaite, Subcommittee Chairman-Cities; Johnson, Subcommittee Chairwoman-Special Districts; Kalich, Subcommittee Chairman-Counties; Adams, Amen, Blair, Honan, Kishimoto, Kuehnle, Laughlin, Martinis, McCormick, Nelson, North (Frances), O'Brien, Paris, Patterson, Sommers, Zimmerman.

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NATURAL RESOURCES-(15) Martinis, Chairman; Bausch, Vice Chairman; Anderson, Clemente, Conner, Flanagan, Gilleland, Hansen, Hansey, Haussler, Julin, Kalich, Kilbury, Kishimoto, Schumaker.

PARKS AND RECREATION-(10) Hurley, Chairwoman; Gaines, Vice Chairman; Ellis, Garrett, Hoggins, Honan, North (Frances) Paris, Randall, Savage.

RULES-(16) Sawyer, Chairman; O'Brien, Vice Chairman; Anderson, Berentson, Charette, Chatalas, Conner, Flanagan, Gallagher, Jastad, Juelling, May, Morrison, Newhouse, Pardini, Thompson.

SOCIAL AND HEALTH SERVICES-(19) Adams, Chairman; Parker, Vice Chairman; Cunningham, Ellis, Eng, Fortson, Freeman, Hendricks, Honan, Jastad, Johnson, Matthews, May, Paris, Rabel, Savage, Tilly, Winsley, Wojahn.

STATE GOVERNMENT-(16) Williams, Chairman; Bender, Vice Chairman; Bauer, Bluechel, Cunningham, Curtis, Ehlers, Gaines, Hendricks, Hurley, Kopet, Lysen, Moon, Perry, Polk, Thompson.

TRANSPORTATION AND UTILITIES-(26) Perry, Chairman; Charnley, Subcommittee Chairman-Public Transportation and Planning; Hansen, Subcommittee Chairman-Highways; McCormick, Subcommittee Chairwoman-Utilities; Barnes, Bender, Berentson, Ceccarelli, Clemente, Conner, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Martinis, Nelson, Patterson, Pullen, Schumaker, Wilson.

WAYS AND MEANS-(43) Bagnariol, Chairman.

APPROPRIATIONS-(25) Shinpoch, Chairman; North (Frances), Vice Chairwoman; Amen, Bagnariol, Bausch, Blair, Charette, Chatalas, Curtis, Ehlers, Gaspard, Hansey, Hoggins, Juelling, Kopet, Luders, Morrison, North (Lois), Polk, Smith, Thompson, Valle, Van Dyk, Warnke, Zimmerman.

REVENUE-(19) Randall, Chairman; Sommers, Vice Chairwoman; Bagnariol, Benitz, Bluechel, Brown, Eikenberry, Erickson, Flanagan, Goltz, Hurley, Julin, Kilbury, King, Kuehnle, Moon, Pardini, Sawyer, Williams.

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INDIVIDUAL COMMITTEE ASSIGNMENTS  
HOUSE OF REPRESENTATIVES, 1974

ADAMS, A. A.-Social and Health Services, Chairman; Commerce; Local Government.

AMEN, OTTO-Agriculture; Local Government; Ways and Means - Appropriations.

ANDERSON, ERIC O.-Higher Education; Natural Resources; Rules.

BAGNARIOL, JOHN-Ways and Means, Chairman; Commerce; Financial Institutions.

BARNES, RICHARD O.-Constitution and Elections; Education; Transportation and Utilities.

BAUER, ALBERT-Education, Chairman; Ecology; State Government.

BAUSCH, DEL-Natural Resources, Vice Chairman; Labor; Ways and Means - Appropriations.

BECK, C. W. "RED"-Transportation and Utilities, Subcommittee Chairman; Ecology; Labor.

BENDER, RICK S.-State Government, Vice Chairman; Education; Transportation and Utilities.

BENITZ, MAX-Agriculture; Higher Education; Ways and Means - Revenue.

BERENTSON, DUANE L.-Higher Education; Rules; Transportation and Utilities.

BLAIR, SCOTT-Financial Institutions; Local Government; Ways and Means - Appropriations.

BLUECHEL, ALAN-Ecology; State Government; Ways and Means - Revenue.

BROWN, ARTHUR C.-Constitution and Elections; Education; Ways and Means - Revenue.

CECCARELLI, DAVE-Financial Institutions, Chairman; Commerce; Transportation and Utilities.

CHARETTE, ROBERT L.-Agriculture; Rules; Ways and Means - Appropriations.

CHARNLEY, DOWN-Transportation and Utilities, Subcommittee Chairman; Ecology; Higher Education.

CHATALAS, WM. "BILL"-Financial Institutions; Rules; Ways and Means - Appropriations.

CLEMENTE, ART-Education; Natural Resources; Transportation and Utilities.

CONNER, PAUL H.-Natural Resources; Rules.

CUNNINGHAM, JOHN "JACK"-Labor; Social and Health Services; State Government.

CURTIS, BOB-Commerce; State Government; Ways and Means - Appropriations.

DOUTHWAITE, JEFF-Local Government, Subcommittee Chairman; Ecology; Transportation and Utilities.

EHLERS, WAYNE-Education; State Government; Ways and Means - Appropriations.

EIKENBERRY, KENNETH-Financial Institutions; Judiciary; Ways and Means - Revenue.

ELLIS, EDWARD G.-Education, Vice Chairman; Parks and Recreation; Social and Health Services.

ENG, JOHN-Constitution and Elections; Education; Social and Health Services.

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ERICKSON, PHYLLIS K.-Constitution and Elections; Higher Education; Ways and Means - Revenue.

FLANAGAN, S. E. "SID"-Natural Resources; Rules; Ways and Means - Revenue.

FORTSON, ELEANOR A.-Constitution and Elections, Vice Chairwoman; Education; Social and Health Services.

FREEMAN, KEMPER-Higher Education; Labor; Social and Health Services.

GAINES, ROBERT "BOB"-Parks and Recreation, Vice Chairman; State Government; Transportation and Utilities.

GALLAGHER, P.J. "JIM"-Commerce; Rules; Transportation and Utilities.

GARRETT, DONALD G.-Commerce; Parks and Recreation; Transportation and Utilities.

GASPARD, MARC-Financial Institutions, Vice Chairman; Judiciary; Ways and Means - Appropriations.

GILLELAND, JAMES E.-Commerce; Natural Resources; Transportation and Utilities.

GOLTZ, H. A. "BARNEY"-Higher Education, Vice Chairman; Ecology; Ways and Means - Revenue.

HANSEN, FRANK "TUB"-Transportation and Utilities, Subcommittee Chairman; Agriculture; Natural Resources.

HANSEY, DONALD G.-Agriculture; Natural Resources; Ways and Means - Appropriations.

HAUSSLER, JOE D.-Local Government, Chairman; Agriculture; Natural Resources.

HAWKINS, JOHN-Constitution and Elections; Ecology; Labor.

HAYNER, JEANNETTE C.-Constitution and Elections; Education; Judiciary.

HENDRICKS, JOHN L.-Education; Social and Health Services; State Government.

HOGGINS, DALE-Education; Parks and Recreation; Ways and Means - Appropriations.

HONAN, JOHN-Local Government; Parks and Recreation; Social and Health Services.

HURLEY, MARGARET-Parks and Recreation, Chairwoman; State Government; Ways and Means - Revenue.

JASTAD, ELMER-Commerce, Vice Chairman; Rules; Social and Health Services.

JOHNSON, DORIS J.-Local Government, Subcommittee Chairwoman; Education; Social and Health Services.

JUELING, HELMUT L.-Commerce; Rules; Ways and Means - Appropriations.

JULIN, AXEL-Judiciary; Natural Resources; Ways and Means - Revenue.

KALICH, HUGH-Local Government, Subcommittee Chairman; Natural Resources; Transportation and Utilities.

KELLEY, RICHARD J.-Judiciary, Vice Chairman; Financial Institutions; Social and Health Services.

KILBURY, CHARLES D.-Agriculture, Chairman; Natural Resources; Ways and Means - Revenue.

KING, RICHARD "DICK"-Constitution and Elections, Chairman; Labor; Ways and Means - Revenue.

KISHIMOTO, RICHARD-Education; Local Government; Natural Resources.

KNOWLES, WALT O.-Judiciary, Chairman; Constitution and Elections; Higher Education.

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KOPET, JERRY C.-Labor; State Government; Ways and Means - Appropriations.

KRAABEL, PAUL-Ecology; Higher Education; Transportation and Utilities.

KUEHNLE, JAMES P.-Commerce; Local Government; Ways and Means - Revenue.

LAUGHLIN, EUGENE L.-Agriculture, Vice Chairman; Local Government; Transportation and Utilities.

LECKENBY, BILL-Commerce; Financial Institutions; Transportation and Utilities.

LUDERS, EDWARD T.-Ecology, Chairman; Financial Institutions; Ways and Means - Appropriations.

LYSEN, KING-Education; State Government; Transportation and Utilities.

MARTINIS, JOHN-Natural Resources, Chairman; Local Government; Transportation and Utilities.

MATTHEWS, GARY LEE-Labor; Financial Institutions; Social and Health Services.

MAXIE, PEGGY JOAN-Higher Education, Chairwoman; Constitution and Elections; Judiciary.

▪ MAY, WILLIAM J.S. "BILL"-Labor; Rules; Social and Health Services.

MCCORMICK, GERALDINE-Transportation and Utilities, Subcommittee Chairwoman; Ecology; Local Government.

MOON, CHARLES-Financial Institutions; State Government; Ways and Means - Revenue.

MORRISON, SID W.-Labor; Rules; Ways and Means - Appropriations.

NELSON, GARY A.-Ecology; Local Government; Transportation and Utilities.

NEWHOUSE, IRVING-Commerce; Judiciary; Rules.

NORTH, FRANCES-Ways and Means - Appropriations, Vice Chairwoman; Local Government; Parks and Recreation.

NORTH, LOIS-Ecology; Judiciary; Ways and Means - Appropriations.

O'BRIEN, JOHN L.-Rules, Vice Chairman; Commerce; Local Government.

PARDINI, A.J. "BUD"-Financial Institutions; Rules; Ways and Means - Revenue.

PARIS, WILLIAM "BILL"-Local Government; Parks and Recreation; Social and Health Services.

PARKER, MIKE-Social and Health Services, Vice Chairman; Financial Institutions; Labor.

PATTERSON, E. G. "PAT"-Higher Education; Local Government; Transportation and Utilities.

PERRY, ROBERT A.-Transportation and Utilities, Chairman; Commerce; State Government.

POLK, WILLIAM-Financial Institutions; State Government; Ways and Means - Appropriations.

PULLEN, KENT E.-Ecology; Education; Transportation and Utilities.

RABEL, JOHN-Constitution and Elections; Higher Education; Social and Health Services.

RANDALL, ROBERT-Ways and Means - Revenue, Chairman; Commerce; Parks and Recreation.

SAVAGE, CHARLES R.-Labor, Chairman; Parks and Recreation; Social and Health Services.

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SAWYER, LEONARD A.-Rules, Chairman; Ways and Means - Revenue.

SCHUMAKER, WILLIAM "BILL"-Agriculture; Natural Resources; Transportation and Utilities.

SHINPOCH, A. N. "BUD"-Ways and Means - Appropriations, Chairman; Judiciary.

SMITH, RICK-Judiciary, Vice Chairman; Ecology; Ways and Means - Appropriations.

SOMMERS, HELEN-Ways and Means - Revenue, Vice Chairwoman; Judiciary; Local Government.

THOMPSON, ALAN-Rules; State Government; Ways and Means - Appropriations.

TILLY, EARL F.-Agriculture; Education; Social and Health Services.

VALLE, GEORGETTE - Ecology, Vice Chairwoman; Higher Education; Ways and Means - Appropriations.

VAN DYK, DAN-Agriculture; Financial Institutions; Ways and Means - Appropriations.

WARKE, FRANK J.-Labor, Vice Chairman; Education; Ways and Means - Appropriations.

WILLIAMS, AL-State Government, Chairman; Commerce; Ways and Means - Revenue.

WILSON, SIMEON "SIM"-Commerce; Ecology; Transportation and Utilities.

WINSLEY, SHIRLEY-Financial Institutions; Judiciary; Social and Health Services.

WOJAHN, LORRAINE-Commerce, Chairwoman; Higher Education; Social and Health Services.

ZIMMERMAN, HAL-Ecology; Local Government; Ways and Means - Appropriations.

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HOUSE BILLS PASSED BY BOTH HOUSE AND SENATE  
 SHOWING THE ACTION BY THE GOVERNOR THEREON

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**Forty-Third Legislature-1974**  
**Third Extraordinary Session**  
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House Bill No.	Relating to:	Chapter No.	Effective Date
*	1. Prescription drugs, tax exempt.....	185	7/ 1/74
S-	10. Implied warranties, disclaimer.....	78	7/24/74
S-	29. Lottery, state, establishment.....	152	
	To be voted on Nov. 5, 1974		
S-	90. Personal service contracts, filing..	191	7/24/74
S-	94. Veterans, public employment pref....	170	7/24/74
	102. Property condemnation awards.....	79	2/16/74
S-	135. Geothermal resources act.....	43	7/24/74
	138. Delinquent taxes, interest.....	116	7/24/74
	150. County officers, mileage allow.....	24	7/24/74
	188. Court administrator, salary comput..	156	7/24/74
	289. Highway signs, general revisions....	80	7/24/74
*S-	383. Plats, subdivisions, standards.....	134	7/ 1/74
	385. Animal technicians, veterinarians...	44	7/24/74
	437. Intermediate school districts.....	75	7/24/74
*S-	473. Gambling, (Veto override).....	155	7/24/74
	Override Ch. 135 Laws '74		
*	474. Governmental employees, activities..	136	7/24/74
*S-	541. Public construction contracts.....	153	7/24/74
	556. Community college students, tenure..	33	7/24/74
	566. Savings & loan assoc., superv. costs	22	7/24/74
*S-	569. Noise abatement and control.....		Vetoed
	636. Fish farming, salmon eggs supply....	23	7/24/74
*S-	637. Forest practices act.....	137	Various
*S-	670. Public transportation systems.....	167	5/ 5/74
S-	671. Boxing matches.....	45	7/24/74
	717. Organized militia, compensation.....	46	7/24/74
S-	748. Probate, general revisions.....	117	10/ 1/74
S-	757. School patrols, adult supervisors...	47	7/24/74
	761. Hotels, restaurants, defrauding....	21	7/24/74
	767. State military, promotion, seniority	34	7/24/74
*S-	779. Elected officials, teachers retire..	199	5/ 6/74
	784. State travel allowance increased....	157	7/24/74
	804. Truth in spending act.....	48	7/24/74
	816. Trains, oscillating lights.....	90	7/24/74
S-	833. County, city jails, standards.....	81	2/16/74
*S-	867. Urban arterial funds, constr. delays	168	5/ 5/74
S-	869. Instructional fire permits.....	164	7/24/74



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*	916	Outdoor signs, scenic route.....	154	7/24/74.
		Override Ch. 138 Laws '74		
	931	Insurance, general revisions.....	82	2/16/74
S-	967	Poison prevention act.....	49	7/24/74
	1006	Sport franchises, property tax ex...	118	7/24/74
	1031	Agriculture pesticide adv. board....	20	7/24/74
*S-	1037	Egg industry, packaging.....	Vetoeed	
	1044	Nursery stock, original producer....	83	7/24/74
S-	1063	Metro transit, package service.....	84	7/24/74
S-	1077	Alcoholism hospitalization, insur...	119	7/24/74
	1084	Public funds deposits, max. int.....	50	7/24/74
*	1144	Newborn infants, health insurance...	139	2/16/74
*	1169	Asian-American affairs commission...	140	2/16/74
	1171	Education, urban, racial.....	85	7/24/74
	1173	Emergency services, county prov....	51	7/24/74
	1180	Election materials purchase.....	52	7/24/74
*	1181	Shorelands, 2nd class, sale.....	186	5/ 6/74
	1183	Emergency services act.....	171	7/24/74
*S-	1185	Timber taxation.....	187	5/ 6/74
	1206	Federal revenue sharing trust.....	53	2/14/74
*	1208	Electrical contractor certificates..	188	7/ 1/74
	1211	Port district budgets, filing date..	19	7/24/74
	1226	Metro vehicles regulation.....	76	2/15/74
	1238	Logging trucks, permits.....	172	8/ 1/74
	1240	Meat dealer fees.....	18	7/24/74
	1245	LEFF retirement benefits.....	120	2/19/74
	1255	Compactor garbage trucks, weight....	86	7/24/74
	1259	Statutes, same legislature, const...	87	2/16/74
	1261	Motor veh. excise tax fund abolished	54	2/14/74
		except Sec.	6	
S-	1268	School districts, fire protection...	88	7/ 1/74
	1269	Judges, Clallam/Jefferson, add'l....	192	7/24/74
	1272	Oral surgeon services, insurance....	42	7/24/74
	1273	Fire commissioner vacancies.....	17	7/24/74
S-	1274	Teachers' retirement act.....	193	5/ 6/74
	1276	Consumer protection, exempt trans...	158	7/24/74
	1282	School transportation pilot prog....	91	2/16/74
		except Sec.	2-5	
S-	1288	Delinq. tax interest.....	196	5/ 6/74
	1292	Veterans' bonus, claims date.....	173	5/ 5/74
	1294	Teachers' certificates regis.....	55	2/14/74
*	1295	Bicycle routes.....	141	2/16/74
	1296	Private schools, education board....	92	2/16/74
*	1301	Business inventories, phasing out...	169	5/10/74
	1302	Industrial development corporations.	16	2/13/74
	1303	Securities laws, revisions.....	77	7/ 1/74
	1309	School building financial assis....	56	7/24/74
*S-	1310	Approp., supplemental, misc.....	142	2/19/74
	1316	University tract prop., sale, lease.	174	7/24/74
	1328	Airport noise, abatement.....	121	7/24/74
	1334	Property tax refunds, add'l.....	122	7/24/74
	1354	Business, professions, code corr...	25	2/13/74
	1355	Volunteer firemen pen., code corr...	26	2/13/74
	1356	Labor & indus. dept., code corr....	27	2/13/74
	1357	Highway commission, code corr.....	29	2/13/74
	1358	Motor vehicle fuel taxes, code corr.	28	2/13/74

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	1360	Industrial insur., code corr.....	30	2/13/74
	1361	Water districts, code correction....	31	2/13/74
	1363	Pub, employment, retirement.....	195	5/ 6/74
S-	1366	Fuel, petroleum contracts, costs....	194	5/ 6/74
*	1373	Noxious weeds control.....	143	7/24/74
	1388	Fish, perishable packaged foods....	57	2/14/74
	1420	State school funds, apport. formula.	89	7/24/74
*	1423	ATV fuel tax.....	144	7/24/74
	1463	School transportation contracts....	93	7/24/74
S-	1469	Cruelty to animals, revisions.....	12	2/11/74
S-	1504	Alcoholics, treatment.....	175	7/24/74
	1508	Insurance rate, sexes risk factor...	32	7/24/74
*S-	1525	Mental illness, civil commitments...	145	2/16/74

\* Partial Veto

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HOUSE MEMORIALS AND RESOLUTIONS PASSED BY  
BOTH THE HOUSE AND SENATE

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Forty-Third Legislature - 1974  
Third Extraordinary Session

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HOUSE JOINT MEMORIALS

No.                      Subject:

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17            Employee pension rights protection

HOUSE CONCURRENT RESOLUTIONS

59            Members named to notify Governor  
60            Governor's message, joint session  
62            Nursing homes, cost reimbursement  
63            Seattle opera association, 10th anniversary  
64            No-smoking day

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SENATE BILLS PASSED BY BOTH SENATE AND HOUSE  
 SHOWING THE ACTION BY THE GOVERNOR THEREON

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 Forty-Third Legislature - 1974  
 Third Extraordinary Session  
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Senate Bill No.	Relating to:	Chapter No.	Effective Date
* 2004	Lottery, state establishment.....		Vetoed
2046	Host-guest statute, repealed.....	3	7/24/74
2095	Port districts, treasurer selec....	13	7/24/74
S- 2120	Technological education.....	4	7/24/74
S- 2132	Criminal justice training comm....	94	7/24/74
2156	Implied warranty disclaimers.....	180	7/24/74
2235	Precinct committeemen, absentees...	73	7/24/74
* 2329	Legal services revolving fund.....	146	7/ 1/74
2366	Legis. dist., boundary changes.....	123	7/24/74
2408	Municipal competitive bidding.....	74	7/24/74
2416	Motor veh., bikes, boats, stolen...	124	7/24/74
S- 2429	Absentee ballots, application.....	35	7/24/74
* 2488	Implied consent, guilty plea.....		Vetoed
2540	District court judges, part-time...	95	7/24/74
2551	Motor vehicle funds, highways.....	9	7/24/74
S- 2562	Pt. Townsend-Keystone; Olympic Fer.	159	4/29/74
2572	Sewer districts, systems defined...	58	7/24/74
2574	EWSC, social work master's prog....	14	7/24/74
2584	Diking district, comm., comp.....	39	7/24/74
S- 2634	Building code act.....	96	7/24/74
S- 2675	Chiropractors, general provisions..	97	7/24/74
S- 2701	Migrant labor camp demo. project...	125	2/19/74
S- 2843	Cities, fed. grant-in-aid, partic..	37	2/13/74
2904	Savings & loan assoc., branches....	98	7/24/74
*S- 2906	Noise abatement, control.....	183	5/ 6/74
2937	Cities, legal aid appropriations...	5	2/11/74
S- 2938	Fire protect. dist., serv. chg....	126	7/24/74
*S- 2940	Salmon commercial license.....	184	5/ 6/74
2961	Legal interns, pros. att'y.....	6	2/11/74
2962	Legal interns, city att'y.....	7	2/11/74
2969	Air pollution variances.....	59	2/14/74
2989	Volunteer firemen, local officials	60	2/14/74
3002	Sheltered workshop products.....	40	7/24/74
3003	Election laws, revisions.....	127	2/19/74
3021	Out-of-state vehicles licensing...	128	7/ 1/74
3022	Vehicle identif. number, insp.....	36	7/ 1/74
* 3023	Private water projects.....	150	7/24/74
	Veto override		
3024	Superior court restraining orders.	99	7/24/74
3029	Marriage dissolution act.....	15	2/11/74
S- 3032	School districts, gifts.....	8	7/24/74
3037	Ferries, "no smoking" areas.....	10	7/24/74
* 3039	State parks, radio, TV leases.....	151	7/24/74
	Veto override		
* 3040	Health care facilities.....	147	7/24/74
3041	Cities, over 300,000, ballots.....	1	1/18/74
S- 3049	School employees, deferred comp..	11	2/11/74

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3050	Local gov. shoreline management..	61	2/14/74
3052	Sound recordings rights.....	100	7/24/74
3055	Real property current use.....	41	2/13/74
3058	School directors' association...	101	7/24/74
3059	Port police, airports, powers....	62	7/24/74
3062	Higher ed., bldgs., facil., bonds	181	5/ 5/74
3064	Data processing revolving fund...	129	2/19/74
3075	Veterans' estates, DSHS fiduc....	63	7/24/74
3077	Horses, identification.....	38	7/24/74
3078	Commission merchants.....	102	7/24/74
3080	Livestock brands.....	64	2/14/74
	Sec. 6 only		
3100	State patrol funds transfer.....	2	1/31/74
S- 3106	Speed limit 55 miles per hour....	103	2/16/74
3116	Commercial herring license, vets.	104	2/16/74
S- 3117	Bowling alleys, alcoholic bev....	65	7/24/74
S- 3118	Drunk driving, penalty assess....	130	2/19/74
3122	Expo '74, liquor licenses.....	66	2/14/74
* 3130	Clearcreek interchange, approp...	Vetoed	
3135	Real property valuation, owner...	131	7/24/74
3143	Hospital districts, services exp.	165	4/30/74
3144	Fish, wildlife losses, compen....	67	7/24/74
S- 3145	Banks, satellite facilities.....	166	4/30/74
*S- 3146	Art, public buildings.....	176	7/24/74
3147	Ferries, mass transportation....	105	2/16/74
3159	Blind students, council duties...	68	7/24/74
3168	Pollution hearing examiners.....	69	7/24/74
3169	Telephone service, defrauding....	160	7/24/74
* 3184	City fire, police pension systems	148	7/24/74
S- 3194	Firemen, police pension, increase	190	5/ 6/74
S- 3200	School district summer programs..	161	4/29/74
* 3202	College work-study program.....	177	7/24/74
3206	Nonprofessional fund raisers....	106	7/24/74
3209	Insurance pensions, tax.....	132	7/24/74
3229	Metro leg., federal conformity...	70	2/14/74
3235	Nursing home employ., min. wage..	107	7/24/74
*S- 3253	Supplemental budget.....	197	5/ 6/74
S- 3256	Legislature, ethics committee.....	189	5/ 6/74
3257	Antitrust revolving fund created...	162	7/24/74
3272	Schools, general obligation bonds...	108	2/16/74
*S- 3277	Environmental policy, state agency..	179	5/ 5/74
S- 3283	Elderly, poor, infirm, prop. tax...	182	5/ 5/74
3304	WSU tree fruit research bldg.....	109	2/16/74
*S- 3312	Criminally insane.....	198	5/ 6/74
S- 3329	Thermal power plant sites certif....	110	2/16/74
3338	Bus, car pool lanes.....	133	7/24/74
3351	Mentally, physically disabled, aid..	71	7/24/74
3354	Bonds, refunding.....	111	2/16/74
S- 3355	Community college refund bonds.....	112	2/16/74
* 3358	Northern state hospital, dispos....	178	5/ 5/74
3362	State capitol committee bonds.....	113	2/16/74
3366	PUD's, construction, prelim. pay....	72	7/24/74
S- 3378	Appropriations, capital construct...	114	2/16/74
3379	Mentally ill, information release...	115	2/16/74
3380	Health cost containment control.....	163	4/29/74

\*Partial veto

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SENATE MEMORIALS AND RESOLUTIONS PASSED BY  
BOTH THE HOUSE AND THE SENATE

Forty-Third Legislature  
Third Extraordinary Session

SENATE JOINT MEMORIALS

No. Subject

106 Snake River, second bridge, funding  
131 Point Roberts, decision delay requested  
134 Offshore fishing, 200 mile boundary

SENATE JOINT RESOLUTIONS

140 Governor's veto, entire sections  
143 Voter qualifications, 18-year-olds, Indians

SENATE CONCURRENT RESOLUTIONS

141 Bills reintroduced  
143 Bills, cut-off, consideration, dates  
144 Point Roberts, committee, study  
S-149 Bicentennial Continental Congress  
150 Public disclosure, form F-1, filing  
151 Public retirement programs study  
152 SB-3379, consideration permitted  
153 Legislature, 3rd Ex. Sess., reconvening  
155 Special session, 3rd Ex. Sess., extended one day  
156 Adjournment, sine die, 3rd Ex. Sess.

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GOVERNOR'S MESSAGES ON HOUSE BILLS  
VETOED AND PARTIALLY VETOED

Third Extraordinary Session - 1974

May 6, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain items HOUSE BILL NO. 1 entitled:

"AN ACT Relating to revenue and taxation."

This act exempts from the retail sales tax and use tax prescription drugs and returnable containers for food and beverages.

Section 1(28) and section 2(23) contain identical items which would include in the definition of prescription drugs animal drugs prescribed by veterinarians. The exemption of prescription drugs for our citizens is a meritorious action by the Legislature which accords a degree of equity in an area of basic human need. No such rationale, nor any other compelling reason, exists for exempting animal drugs from the sales and use tax. Accordingly, I have vetoed the referenced items.

With the exception of the foregoing items which I have vetoed, the remainder of House Bill No. 1 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor

February 19, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain items HOUSE BILL NO. 383 entitled:

"AN ACT Relating to plats and subdivisions."

In House Bill No. 383 as originally introduced certain subdivisions were exempted from the bill when made pursuant to a court order if (a) such division were exempted under another portion of the bill; or (b) prior to the court order the division had been granted final plat approval; or (c) the court order was conditioned on the division receiving final plat approval. Subsequently, the language of the bill was amended so that language in the bill presented to me provided that the exemption should not apply "unless the local government wherein the land is located is made a party to the proceedings and has rendered its advice to the court in respect of the division proposed to be included within such order."

Under present legislation some developers who have subdivided without receiving an approved plat have gone to court, asked for and received a dissolution and have thus been able to subdivide without any action by the county in which the land is located. The language in the original version of HB 383 would have prevented this practice. The language in section 2, subsection 4 of the bill now before

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me would put the county in an advisory capacity only and would afford no real protection against the kind of land development practices which are so destructive of county land use planning. Accordingly, I have vetoed that item.

Section 9 of the bill provides that when a parcel of land is divided into five or more lots without having a final plat of such subdivision filed for record, an action may be initiated on behalf of any city, town or county to recover damages occasioned by the failure to comply with all provisions of RCW 58.17.200. In addition, however, section 9 provides that in such a lawsuit damages to any innocent purchaser for value without actual notice may also be recovered, and if any damages are recovered and collected for such innocent purchaser they shall be paid to the innocent purchaser by the city, town or county.

Local governments have expressed concern that this provision would unnecessarily put them in the collection business for private purchasers since such purchasers can always hire their own attorneys to bring a lawsuit for damages. Furthermore, the concern has been expressed that if a successful action is pursued by the prosecuting attorney a question would arise as to how the recovery would be shared by the local government that installed the sewers, drainage, roads or other necessary improvements and the innocent purchaser for damages incurred. Because of the uncertainty raised by this language and because I do not believe local government should be in a position of taking legal action for damages on behalf of private persons, I have determined to veto section 9.

With the foregoing exceptions, the remainder of House Bill No. 383 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor

(For veto message on Substitute House Bill No. 473, see page 4286)

February 16, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain items HOUSE BILL NO. 474 entitled:

"AN ACT Relating to public employees."

House Bill No. 474 makes various changes to RCW 41.06.250 relating to political activities of public employees and political solicitations on public property.

One amendatory item in section 1 of RCW 41.06.250 would ease the present restriction of the law against all persons from soliciting on state property by confining the restriction to only elected officials or employees of the state and its political subdivisions. The consequences of this change would seem to be highly questionable and potentially disruptive. Thus, the door would be open to political solicitation not only by representatives of elected officials but also by any number of party or campaign officials and workers. For these reasons, I have determined to veto that item.



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A second item in the same section broadens the restriction against solicitations on public property to include contributions for any political purposes. The existing language restricts only contributions for partisan political purposes. I believe this change is unnecessarily broad in its effect and rules out the opportunity for many public employees to contribute to issue-oriented political campaigns. Accordingly, I have vetoed the referenced item.

With the foregoing exceptions, the remainder of House Bill No. 474 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

(For veto message on Substitute House Bill No. 541, see  
page 4280)

February 16, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval SUBSTITUTE HOUSE BILL NO. 569 entitled:

"AN ACT Relating to noise abatement and control."

Section 1 of this bill authorizes the Department of Ecology to study noise levels in the state and report to the Legislature in 1975. Section 2 prohibits local governments from adopting any noise control measures prior to the adjournment of the 1975 legislative session.

As enacted, the bill does not do justice to the continued efforts of many in state and local government and in the private sector to seek reasonable solutions to the problem of unharnessed and harmful noise levels which adversely affect the health and welfare of our citizens and the quality of our environment. The problem has been studied long enough and warrants action now.

It is unfortunate that the Legislature has chosen not to take definitive action now on the problem of noise control, and has further prohibited any attempts by local governments to remedy their noise problems. I have determined to veto this bill in its entirety, and will be ready to work with the Legislature at its next session to develop a satisfactory measure on noise control. In the meantime, I strongly urge local jurisdictions to proceed with their own standards of noise control.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

February 14, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain items SECOND SUBSTITUTE HOUSE BILL NO. 637 entitled:

"AN ACT Relating to forest practices."

Section 3 of the bill purports to create a seven member forest practices board to be appointed by the Governor.

However, the section elsewhere requires the appointment of nine members. Accordingly, I have vetoed that item limiting the board to seven members. Section 3 also provides that a quorum of the board shall consist of four members. Since this provision is obviously related to a board of seven members, I have vetoed that item establishing the quorum at four. Additionally, this section provides for the staggering of the terms of the board members, but does not do so for all nine members. I would urge the Legislature to consider future amendments to this act that would provide an appropriate quorum and establish the initial terms of office for all board members.

Subsection 3 of section 20 provides that the forest practices board may not permanently adopt forest practice regulations without first requesting and receiving the recommendations of the advisory committee. Such a provision could unduly restrict the forest practices board in its responsibility to adopt regulations. Accordingly, I have vetoed that item. Section 20 also provides for the appointment of the advisory committee members by the Governor. However, in so doing reference is made to the appointment of "designated representatives" of certain agencies. In the absence of any language identifying who is to designate the representative appointed by the Governor, appointments will be made on the basis that it is the Governor.

Subsection 9 of section 22 would limit the scope of review of the appeals board over administrative decisions to that provided in the Administrative Procedures Act for judicial review of decisions in contested cases before an administrative body. Such a limitation was specifically drawn for judicial review, not administrative review such as will be conducted by the appeals board. Accordingly, I have vetoed that item.

With the exception of those items noted above, I have approved the remainder of Second Substitute House Bill No. 637.

Respectfully submitted,  
DANIEL J. EVANS  
Governor

May 5, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain items SUBSTITUTE HOUSE BILL NO. 670 entitled:

"AN ACT Relating to transportation."

1. Definition of "public transportation function."

Section 1 (3) of the bill contains an obvious drafting error overlooked throughout the entire legislative process that effectively defeats the purpose of the bill by excluding from the jurisdiction of a county transportation authority the principal function that should be undertaken: individual fare-paying transportation. The definition of "public transportation function" in this bill is identical to the language employed in RCW 35.58.020(14) relating to

metropolitan municipal corporations, with the sole exception of the word "now" appearing in page 1, line 17 of the bill which should have read "not." Since this is not the type of engrossing error which might otherwise have been corrected by the Code Reviser, I have determined that the only way of salvaging this critical definitional section is to veto the phrase "or any other motor vehicle now on an individual fare-paying basis." It is interesting to note that had the item veto power not been available to correct this otherwise fatal error, the bill would be of no use to those counties that have long awaited this kind of enabling legislation.

2. Annual report to Legislature.

Under RCW 43.09.230, a county transportation authority set up under this act would be required to prepare annually a detailed report pursuant to the rigid requirements of that section, which report would in due course be submitted to the Legislature at its next session. The item in section 6 of the bill further requiring an annual report to be submitted to the transportation and utilities committees of the Senate and House is unwarranted and would lead to wasteful duplication of effort. Accordingly, I have vetoed that item.

3. Plan conformance to federal requirements.

Section 7 contains an item requiring the public transportation plan adopted by the authority to conform to federal requirements. Needless to say, an authority wishing to qualify for federal funding will prepare its plan in accordance with federal requirements. On the other hand, this could impose an excessive burden on areas in the state not seeking federal funding and without the capability for the planning effort which would be required to conform to federal requirements. I have therefore vetoed the referenced item.

4. Restrictions on funding and bonding.

Section 10 contains two provisos that effectively cripple the financial and planning capability of an authority. The expiration date of June 30, 1979 on the local option sales tax injects uncertainty into the future of any county transportation system and precludes any long-range planning. The prohibition against issuance of general obligation bonds removes the borrowing capability of an authority and would require the improbable situation of sufficient funds on hand before commencing any project. Even with federal participation, the authority would ordinarily be required to advance the federal share, which it simply would not be able to do without borrowed funds. For these reasons, I have determined to veto that item in section 10 consisting of the two referenced provisos.

5. Limitation on future formation of METROS.

The intent of the Legislature in section 11 was presumably to preclude formation of other metropolitan municipal corporations for transportation purposes. The language of this section far exceeds that intent, however, and subjects the bill to serious constitutional challenge. The broad language of the section precludes the formation of metropolitan municipal corporations for any other purposes such as sewerage disposal and planning. In doing so, the section goes beyond the title of the bill and raises the question of two separate subjects in one bill.

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Accordingly, I have vetoed section 11.

With the exception of the foregoing items, I have approved the remainder of Substitute House Bill No. 670.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

May 6, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to one item SUBSTITUTE HOUSE BILL NO. 779 entitled:

"AN ACT Relating to public employment."

This bill provides for improved retirement benefits for teacher-legislators by enabling, among other things, current teacher-legislators to receive pensions amounting to three percent of the average earnable compensation of his or her two highest consecutive years of service, which earnable compensation would include both the full contract salary as a teacher and the annual legislative salary.

Notwithstanding the increased benefits, section 2 of the bill contains an item which reduces the employee contribution of the teacher-legislator from seven and one-half percent to six percent of earnable compensation. This reduction in the employee contribution may be justified in respect to future teacher-legislators whose benefits are limited elsewhere in the bill to two percent of the average earnable compensation of the two highest consecutive years of service, but is wholly unwarranted in the case of current teacher-legislators whose benefits have been increased under the bill. For these reasons, I have determined to veto that item.

With the exception of the foregoing item, the remainder of Substitute House Bill No. 779 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

May 5, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to one section SUBSTITUTE HOUSE BILL NO. 867, entitled:

"AN ACT Relating to authorized urban arterial projects, preserving approved allocations of the Washington State Urban Arterial Board while delayed by court order and for an interim period thereafter."

This bill provides for the continued obligation of urban arterial trust funds for specified categories of urban arterial projects.

In the course of the enactment of the bill, sections 2 and 3 were added by amendment with the intention of replacing the provisions of section 1. By oversight, section 1 was left in the bill and is inconsistent with the

remainder of the bill. To correct this mistake and to assist the Legislature in establishing its own intent, I have determined to veto section 1.

With the exception noted above, I have approved the remainder of Substitute House Bill No. 867.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

(For veto message of House Bill No. 916, see page 4282)

May 6, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval SUBSTITUTE HOUSE BILL NO. 1037 entitled:

"AN ACT Relating to the egg industry."

This bill provides for various changes to existing law regulating the egg industry. Among other things, the bill increases the annual license fee for egg dealers from five dollars to an amount up to fifty dollars in addition to imposing an additional reporting requirement on dealers of the number of eggs sold on which the state would levy an assessment of two and one-half mills per dozen. These and other provisions of the bill have the effect making it more difficult for the smaller egg dealer to conduct his business, thus indirectly benefiting large dealers and importers of eggs.

Neither are there any apparent improvements from the standpoint of administration by the Department of Agriculture. Instead, the department is given the additional burden of conducting extensive audits of individual dealers that are not needed under the present system of regulation. When this additional administrative burden is combined with the deleterious effect of the provisions on smaller egg dealers in this state, it is questionable whether any net benefit accrues either to the egg industry or to the consuming public.

For these reasons, I have determined to veto Substitute House Bill No. 1037.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

February 16, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain items HOUSE BILL NO. 1144 entitled:

"AN ACT Relating to health care."

This bill provides for coverage to newborn infants in various forms of health care service insurance coverage to close a gap that has long existed by the exclusion from coverage of newborn infants until a certain number of days after birth. As a result of this exclusion, many families

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have been hard hit by major medical expenses that could not have been anticipated.

Sections 1, 2, and 3 of the bill each contains an item that would exclude from the coverage provided to newborn infants "benefits for routine well-baby care." Nowhere in the bill is there a definition of what constitutes routine well-baby care, and without such definition exclusions could be written into future coverage that could well defeat the purpose of this bill.

Moreover, experts in pediatric care have long maintained that there is no such thing as a "well-baby" during the first 48 hours of an infant's life. During those critical first 48 hours, a newborn infant is highly susceptible to a number of potentially serious physical malfunctions, and the high degree of care necessary to carry a newborn infant through this period could be discouraged by a broadly written well-baby care exclusion in health care insurance contracts.

For these reasons, I have determined to veto the referenced items in section 1, 2, and 3 of the bill. With the exception of those items, the remainder of House Bill No. 1144 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

February 16, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to one item HOUSE BILL NO. 1169 entitled:

"AN ACT Relating to state government; establishing the Washington Commission on Asian-American Affairs."

This bill provides for the creation of the Washington Commission on Asian-American Affairs within the office of the Governor.

Section 4 of the bill contains an item providing for the appointment of four members of the Legislature to the commission. I believe this type of appointment sets a questionable precedent in the area of the separation of executive and legislative powers. The Legislature has seen fit to make the commission a part of the executive branch by placing it within the office of the Governor. While there would be nothing objectionable to the appointment by the Governor of a member of the Legislature to the commission who happens to have the background and experience which would aid the commission in its duties, it is quite another matter for the Legislature to mandate the Governor to appoint four legislators chosen respectively by the Speaker of the House of Representatives and the President of the Senate. Accordingly, I have vetoed the referenced item.

With the exception of that item, the remainder of House Bill No. 1169 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

May 6, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain sections HOUSE BILL NO. 1181 entitled:

"AN ACT Relating to tide and shorelands."

Section 2 provides for the sale of publicly owned second class shorelands in accordance with the legislative declaration that the public interest may be best served by such sale. The language of this section, however, is so drafted as to place the burden on the state, through the Board of State Land Commissioners, to prove that the sale of second class shoreland to a particular applicant is not in the public interest. This burden must further be sustained through the "contested case" procedure set forth in RCW chapter 34.04. The preservation of publicly owned property for the benefit and use of all the citizens of this state is a basic policy of the highest priority, and it should be incumbent on any individual seeking to purchase publicly owned property to prove that the public would be best served by such purchase. For these reasons, I have determined to veto section 2.

Section 4 repeals RCW 79.01.484, which provides for the sale or lease, when the public interest is best served, of second class shorelands, and grants a preference in case of such sale or lease to the abutting upland owner. Repeal of this section would take away the desired flexibility presently within the Department of Natural Resources to lease second class shorelands to abutting owners while still preserving the property ultimately for the public benefit. Accordingly, I have determined to veto section 4.

With the foregoing exceptions, the remainder of House Bill 1181 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

May 6, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain items SUBSTITUTE HOUSE BILL NO. 1185 entitled:

"AN ACT Related to revenue and taxation of timber and forest lands."

Section 2(4)(b) requires the computation and certification by the Department of Revenue of amounts of reserve fund revenue to be distributed to local taxing districts and to the state. An item therein sets a deadline of October 15 therefor. This deadline would be impossible for the department to meet since it cannot compute the distribution until the taxing districts have reported their millage rates, and the deadline for reporting such millage rates in RCW 84.33.080 is December 15. I have accordingly vetoed the referenced item.

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Section 3(7) allows for adjustments to the timber roll resulting from timber inventory adjustments made before December 31, 1975. This provision was apparently enacted to alleviate the concern in some counties over their share of the distribution of timber excise tax because of failure to update their timber rolls. It is now clear, however, that the cost of such an effort would be greater than any tax advantage that may result therefrom. Furthermore, the act provides, starting in 1976, for a different basis for distribution of timber tax revenue by using on a phase-in basis a formula which takes account of the amount of timber harvest occurring in each county. For these reasons, I have determined to veto section 3(7).

With the foregoing exceptions, I have approved the remainder of Substitute House Bill No. 1185.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

May 6, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain items HOUSE BILL NO. 1208 entitled:

"AN ACT Relating to electrical contractors."

Section 1(2) contains amendatory language requiring that an applicant pass an examination given pursuant to this act as a condition to receiving an electrical contractor's license. An item therein provides for the grandfathering of those applicants who already possess a license as of the effective date of the act by exempting from the examination requirement applicants for renewal of previously issued licenses. A similar grandfathering provision appears in section 3 of the bill. The purpose of a written examination as required by this bill is to insure that contractors are competent to engage in and supervise the work of installing electric wires, equipment and appliances not only for the protection of the general public but also to maintain minimum standards in the industry itself. Neither the public nor the industry is best served by the grandfather provision as set forth in this bill. Accordingly, I have determined to veto the referenced item in section 1(2) and the entire section 3.

Section 2 provides for the creation of a board of electrical examiners. The membership of this board is prescribed in unnecessarily rigid and narrow terms by an item therein and allows little, if any, flexibility or discretion in the appointment of the members. Such restrictive language may well disqualify from service on the board some persons who would be best qualified to serve. For these reasons, I have determined to veto the referenced item. In so doing, I recognize that the vetoed item also contains the length of the terms to be served by the members. I would urge the Legislature to consider again and reenact the relevant term provisions at its next session.

With the foregoing exceptions, I have approved the



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remainder of House Bill No. 1208.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

February 16, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to one section House Bill No. 1295 entitled:

"AN ACT Relating to bicycle routes and bicycles."

This bill provides for the consideration and establishment of bicycle routes by the Urban Arterial Board.

By legislative oversight, sections 12 and 13 of the bill amend the same section of the law, RCW 47.30.030. In order to prevent internal inconsistency in the bill, I have determined to veto section 13.

With the above noted exception, the remainder of House Bill No. 1295 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

May 5, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
(Through the Secretary of State)  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain items HOUSE BILL NO. 1301 entitled:

"AN ACT Relating to revenue and taxation."

Section 6 imposes a twenty-five percent penalty for avoidance of the business and occupation tax by supplying fraudulent information on the credit due for inventory tax payments. An item in that section sets a three-year statute of limitations for the collection of the penalty. This limitations period conflicts with the four-year statute of limitations for other excise taxes set in RCW 82.32.100 where no fraud is involved and the open limitations period upon a showing of fraud by the taxpayer. There is no compelling reason for this discrepancy. Accordingly, I have vetoed that item.

Section 7 provides for the elimination of inventory taxes commencing with 1984 assessments for 1985 taxes. This is inconsistent with other portions of the bill dealing with the inventory tax phase-out, and specifically with section 3 which eliminates the inventory tax commencing with 1983 assessments for 1984 taxes in accordance with the phase-out schedule set forth in section 2. I have therefore vetoed section 7.

Section 8 is intended to provide relief primarily for taxpayers such as farmers who have no business and occupation tax liability against which inventory taxes may be credited. As enacted, however, the language of this section is so broadened by certain items as to extend far beyond the farmer and original producer, and would permit

an exemption from tax to be passed on to the manufacturing, wholesaling, and retail levels. In addition, agricultural product retailers, wholesalers and manufacturers who presently are exempted from business and occupation tax liability would receive an additional credit against their remaining inventory tax liability. I have determined to veto the items in section 8 which unduly broaden its effect and strongly urge the Legislature to refine even further the remaining language which still provides potential loopholes for tax exemptions and double credits not intended by the drafters of the bill. I would specifically suggest that the Legislature refer to the very restrictive agricultural exemptions enacted in RCW 82.04.330.

With the foregoing exceptions, the remainder of House Bill No. 1301 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

February 19, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain sections and items SUBSTITUTE HOUSE BILL NO. 1310 entitled: "AN ACT Relating to expenditures by state agencies and offices of the state; making appropriations for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; making other appropriations; designating effective dates for certain appropriations."

The specific sections and items which I have vetoed are as follows:

1. State Treasurer

On page 2, section 7, I have vetoed the proviso starting on line 14 and ending on line 25. This proviso would prohibit, effective January 1, 1975, the processing of state warrants which require a payee to consent thereto as a condition of endorsement or receiving payment of the warrant.

The certification which now appears on state warrants is required by federal regulation for Department of Social and Health Services payments to medical vendors. It is possible that deletion of only the words "or payments to vendors" which appear in this section could avoid any possibility of noncompliance with federal regulations. Deletion of those words only, however, might result in substantial administrative complexities and attendant costs because certain vendor warrants would have to be segregated from other warrants. To determine the effect of removing the certification from all except those vendor warrants on which it must appear, I have asked that the Office of Program Planning and Fiscal Management analyze this problem in detail and submit a report of its findings to the April session of the Legislature.

2. Department of Agriculture

On page 11, section 32, I have vetoed the proviso starting on line 5 and ending on line 10 which requires utilization of brand inspectors to investigate rustling activities and designates a portion of the appropriation

for brand recording.

These activities are currently funded from a nonappropriated local fund. The 1974 Legislature passed SB 3080 to provide additional revenue to the nonappropriated local fund, and it is neither appropriate nor necessary to subsidize these activities further through a General Fund appropriation. To insure that the \$70,000 supplemental appropriation provided to the department is not used for other purposes, that amount will be placed in reserve status and remain unexpended.

3. Increased Reimbursement to State Officers and Employees for Use of Private Automobiles

On page 37, section 69, I have vetoed the item on lines 9 and 10 which prohibits the increase in the maximum reimbursement rate from being used as a basis for any supplemental legislative appropriation.

Section 69 authorizes the director of the Office of Program Planning and Fiscal Management to fix the reimbursement rate the state officers and employees who use private automobiles for official travel at not more than thirteen cents per mile effective March 1, 1974. The present maximum reimbursement rate fixed by RCW 43.03.060 is ten cents per mile. Although the reimbursement rate can be increased, the Legislature did not appropriate funds for the additional costs agencies will incur if an increase is authorized. Rather, this section requires that economies in travel practices and policies be effected to offset the additional costs. Given the increased costs of operating an automobile, particularly sharply increased fuel costs, an adjustment in the maximum reimbursement rate will no doubt be made. Some agencies might be able to absorb the increased costs, but other agencies where the preponderance of the work to be performed by the agency requires travel cannot absorb such cost. Additional appropriations will be required in these circumstances.

4. Department of Ecology

On page 37, beginning on line 11, I have vetoed the entire section 70 which ends on page 38.

This section provides that the Department of Ecology shall recommend to the federal Environmental Protection Agency that only up to \$700,000 of available air pollution control grant funds be given to the department for the 1973-75 fiscal biennium and that all other available grant funds be given to activated air pollution control authorities in the state.

A recent change in the Environmental Protection Agency grant procedures will result in the entire Washington State federal air pollution grant, approximately, \$984,000, being granted to the Department of Ecology in fiscal year 1975. Previously, a specified amount was allocated to the Department of Ecology and the remaining federal funds were distributed directly to local entities. With this change, the Department of Ecology will grant the portion, other than the department allocation, to the local authorities as subgrantees. The veto of this section removes any doubt regarding the eligibility of the department to receive federal air pollution grants in appropriate amounts. Further, an additional advantage resulting from the Department of Ecology receiving the combined state and local Environmental Protection Agency grant and making

subgrantee grants to local authorities is that unused federal funds can be reallocated among the various state air authorities rather than reverting to the federal agency, thus being lost to the state.

5. Farmarked Surplus General Fund Revenue

On page 38, beginning on line 12, I have vetoed the entire section 71 which ends on line 19. This section provides that surplus general fund revenue for the 1973-75 biennium in excess of \$2,200,276,000, but not to exceed \$20 million, shall be held in a separate fund by the State Treasurer for distribution as special levy property tax relief. The formula for distribution of these funds is to be provided by the 1975 Legislature.

This is premature action on the part of the Legislature for several reasons. At the present time, the amounts which might be appropriated on the return of the Legislature in April, 1974 are not known, nor is it possible to estimate accurately the funding necessary for state programs unfunded by the Legislature during the past session to alleviate the fiscal problems resulting from growing inflation. It will not be possible to determine the amount of surplus revenue until August or September of 1975, or after the start of the 1975-77 biennium. At such time as the 1975 Legislature meets and considers the 1975-77 biennial budget, a complete fiscal picture for the new biennium will be available upon which a more complete spectrum of tax relief measures, expenditures and priorities can be established.

With the exception of the items described above, the remainder of the bill is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

February 13, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to one section HOUSE BILL NO. 1373 entitled:

"AN ACT Relating to noxious weeds."

Section 4 of the bill, by obvious legislative oversight, merely restates RCW 17.10.240 as it presently reads, and contains no amendatory changes. If approved, needless time and expense would be incurred by the Code Reviser to insert the section as reenacted into the Revised Code of Washington. For this reason I have determined to veto section 4.

The remainder of House Bill No. 1373 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

February 19, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to a

certain item HOUSE BILL NO. 1423 entitled:

"AN ACT Relating to motor vehicle fuel excise taxes."

It is my understanding that the amendatory language of Section 3 was proposed to amend RCW 46.09.170, which limited the amount of motor vehicle fuel tax collections attributable to all-terrain vehicles refundable to other state agencies for development of ATV road and trails to one million dollars for the 1971-73 biennium. As amended, it would provide that the limit be changed to 1% of motor vehicle fuel tax revenues for the 1973-75 biennium. That language, however, includes an item which, contrary to the intent of its proponents, would limit the refunds to 1% of motor vehicle fuel tax revenues solely for the balance of the 1973-75 biennium from and after the effective date of the bill. In order to restore the original legislative intent of the section, I have determined to veto the referenced item.

With the exception of the foregoing item which I have vetoed, the remainder of HOUSE BILL NO. 1423 is approved.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

February 16, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I am returning herewith without my approval as to certain items SUBSTITUTE HOUSE BILL NO. 1525 entitled:

"AN ACT Relating to Civil Commitment."

Section 3 of the bill substantially amends a section of the civil commitment law passed in 1973 in order to establish procedures for the admission, detention and treatment of minors. Subsection 3(e) of section 3 establishes certain release procedures for voluntarily admitted minors. However, an item in subsection 3(e) makes reference to a juvenile court which originally committed the minor. Inasmuch as the subsection relates only to voluntary admissions there clearly is no court of original commitment. Accordingly, I have vetoed that item.

Section 6 of the bill, among other things, provides that a voluntarily admitted person may be detained for a period not to exceed four days in order to obtain an evaluation of his condition for the purpose of initiating involuntary commitment proceedings. The provision allowing detention for four days could effectively allow the detention of a voluntarily admitted person for a period twice as long as that allowed for involuntarily detained persons. Accordingly, I have determined to veto that item.

It should additionally be noted that the standard for determining whether a voluntarily admitted person should be detained for evaluation is significantly less than the standard for detention of involuntarily detained persons. I would urge the Legislature to change this standard to bring it into conformity with the balance of the act and eliminate detrimental inconsistencies.

Respectfully submitted,  
DANIEL J. EVANS  
Governor.

GOVERNOR'S MESSAGES ON HOUSE BILLS APPROVED

Third Extraordinary Session-1974

February 14, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on February 13, 1974, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 150: Raising mileage allowance for county officers.

HOUSE BILL NO. 556: Providing for student participation in community college tenure process.

HOUSE BILL NO. 566: Requiring savings and loan associations to pay for the cost of state supervision.

HOUSE BILL NO. 636: Allowing the department of fisheries to supply salmon eggs for use in fish farming or aquaculture for any length of time.

HOUSE BILL NO. 761: Increasing penalties for defrauding hotels, inns, restaurants and boarding houses.

HOUSE BILL NO. 767: Eliminating seniority as a basis for promotion in the state military.

HOUSE BILL NO. 1031: Adding new members to the agriculture pesticide advisory board.

HOUSE BILL NO. 1211: Providing for an alternative date for filing of final budgets by port districts.

HOUSE BILL NO. 1240: Removing certain meat dealers' fees.

HOUSE BILL NO. 1272: Providing disability insurance for services of oral surgeons licensed under the dentistry act.

HOUSE BILL NO. 1273: Providing for filling of vacancies in fire commissioner positions.

HOUSE BILL NO. 1302: Providing for changes in laws regulating industrial development corporations.

HOUSE BILL NO. 1354: Pertaining to businesses and professions - code correction.

HOUSE BILL NO. 1355: Pertaining to pensions of volunteer firemen - code correction.

HOUSE BILL NO. 1356: Pertaining to department of labor and industries - code correction.

HOUSE BILL NO. 1357: Pertaining to state highway commission - code correction.

HOUSE BILL NO. 1358: Pertaining to motor vehicle fuel taxes - code correction.

HOUSE BILL NO. 1360: Pertaining to industrial insurance - code correction.

HOUSE BILL NO. 1361: Pertaining to water districts - code correction.

HOUSE BILL NO. 1508: Allowing insurance rates to reflect differences on risk factors between the sexes.

Sincerely,  
Chi-Dooh Li  
Legal Counsel.

February 15, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on February 14, 1974, Governor Evans approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 135: Conserving geothermal resources.

HOUSE BILL NO. 385: Establishing animal technicians, allowing state veterinary board to employ a secretary, and providing for suspension or revocation of veterinary license if revoked in another state.

SUBSTITUTE HOUSE BILL NO. 671: Implementing the laws relating to the length of boxing matches.

HOUSE BILL NO. 717: Relating to compensation of the organized militia.

SUBSTITUTE HOUSE BILL NO. 757: Supplementing law authorizing school patrols.

HOUSE BILL NO. 804: Enacting the truth in spending act of 1974.

SUBSTITUTE HOUSE BILL NO. 967: Providing for special packaging to protect children from certain substances.

HOUSE BILL NO. 1084: Setting the maximum rate of interest permitted on time deposits of public funds.

HOUSE BILL NO. 1173: Granting counties power to expend certain moneys.

HOUSE BILL NO. 1180: Relating to purchases of election materials.

HOUSE BILL NO. 1206: Transferring of federal revenue sharing trust fund to the state general fund.

HOUSE BILL NO. 1261: Abolishing the motor vehicle excise tax fund and providing for the distribution of motor vehicle excise taxes from the general fund.

HOUSE BILL NO. 1294: Enumerating additional impediments to local registration of teachers' certificates and additional grounds for revocation thereof.

HOUSE BILL NO. 1309: Deleting superfluous and misleading RCW references from 1969 school building financial assistance act.

HOUSE BILL NO. 1388: Making certain changes in the laws relating to food packaging.

Sincerely,  
Chi-Dooch Li  
Legal Counsel.

February 15, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on February 15, 1974, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 437: Implementing the law relating to intermediate school districts.

HOUSE BILL NO. 1226: Regulating metro vehicles.

JOURNAL OF THE HOUSE

HOUSE BILL NO. 1303: Providing for changes in the state securities law.

Sincerely,  
Chi-Dooh Li  
Legal Counsel.

February 19, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on February 16, 1974, Governor Evans approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 10: Providing that disclaimer of warranties in the sale of consumer goods shall be ineffective.

HOUSE BILL NO. 102: Authorizing alternative procedures for payment of condemnation awards subject to benefits setoff.

HOUSE BILL NO. 289: Providing for motorists' information signs.

HOUSE BILL NO. 816: Requiring trains to show oscillating lights.

SUBSTITUTE HOUSE BILL NO. 833: Providing standards for detention and correctional facilities.

HOUSE BILL NO. 931: Implementing the laws relating to insurance.

HOUSE BILL NO. 1044: Defining "original producer" of nursery stock for taxation purposes.

SUBSTITUTE HOUSE BILL NO. 1063: Changing the laws relating to metropolitan municipal corporations.

HOUSE BILL NO. 1171: Setting out policy for the administration of urban, rural, racial and disadvantaged education programs.

HOUSE BILL NO. 1255: Permitting compactor type two axle garbage trucks to purchase additional gross weight tolerances.

HOUSE BILL NO. 1259: Relating to the construction of statutes.

SUBSTITUTE HOUSE BILL NO. 1268: Exempting school districts from having to contract for services from fire protection districts.

HOUSE BILL NO. 1282: Authorizing school transportation pilot program and transferring certain programs from jurisdiction of superintendent of public instruction.

HOUSE BILL NO. 1296: Reaffirming limited rights of state board of education over private schools.

HOUSE BILL NO. 1420: Setting forth distribution formula for state funds apportioned to school districts.

HOUSE BILL NO. 1463: Authorizing school districts to enter into contracts with other governmental entities to provide for transportation of both students and the public through use of school transportation facilities.

Sincerely,  
Chi-Dooh Li  
Legal Counsel.



JOURNAL OF THE HOUSE

February 20, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on February 19, 1974, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 138: Changing the rate of interest on delinquent property taxes from a variable rate to a uniform rate.

SUBSTITUTE HOUSE BILL NO. 748: Making certain changes in the laws relating to probate.

HOUSE BILL NO. 1006: Exempting certain personal contracts and athletic or sports franchises from property taxation.

SECOND SUBSTITUTE HOUSE BILL NO. 1077: Requiring contractual provisions to provide hospitalization for alcoholism.

HOUSE BILL NO. 1245: Enacting 1974 LEFF retirement system amendments.

HOUSE BILL NO. 1328: Providing means for port districts to undertake abatement of airport noise.

HOUSE BILL NO. 1334: Authorizing additional grounds for property tax refunds.

Sincerely,  
Chi-Dooch Li  
Legal Counsel.

April 29, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on April 29, 1974, Governor Evans approved the following House Bills, entitled:

HOUSE BILL NO. 188: Providing for a change in the method of computing the salary of the court administrator.

HOUSE BILL NO. 784: Increasing mileage allowance for state officials and employees.

HOUSE BILL NO. 1276: Defining exempted transactions under the consumer protection act.

Sincerely,  
Chi-Dooch Li  
Legal Counsel.

April 30, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on April 30, 1974, Governor Evans approved the following House Bill, entitled:

SUBSTITUTE HOUSE BILL NO. 869: Relating to air pollution.

Sincerely,  
Chi-Dooch Li  
Legal Counsel.

JOURNAL OF THE HOUSE

May 6, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 6, 1974, Governor Evans approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 90: Providing for filing of personal service contracts.

HOUSE BILL NO. 1269: Adding additional judge for counties of Clallam and Jefferson jointly.

SUBSTITUTE HOUSE BILL NO. 1274: Implementing teachers' retirement act.

SUBSTITUTE HOUSE BILL NO. 1288: Changing the interest rate on delinquent property taxes to eight percent.

HOUSE BILL NO. 1363: Providing for public employment retirement.

SUBSTITUTE HOUSE BILL NO. 1366: Authorizing termination on revision of public works contracts affected by increased petroleum prices.

Sincerely,  
Elliot L. Marks  
Legislative Assistant.

May 6, 1974

TO THE HONORABLE  
THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF WASHINGTON  
LADIES AND GENTLEMEN:

I have the honor to advise that on May 5, 1974, Governor Evans approved the following House Bills, entitled:

SUBSTITUTE HOUSE BILL NO. 94: Providing for veterans' preferences in civil service exams.

HOUSE BILL NO. 1183: Making certain changes in the laws relating to emergency services.

HOUSE BILL NO. 1238: Providing for permits for logging trucks.

HOUSE BILL NO. 1292: Abolishing war veterans' funds when no obligations remain payable therefrom.

HOUSE BILL NO. 1316: Prohibiting the sale and limiting the lease of university tract properties.

SUBSTITUTE HOUSE BILL NO. 1504: Enacting the "health act of 1974."

Sincerely,  
Chi-Dooch Li  
Legal Counsel.

SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
1. Representatives May, Kopet, Pardini, Smythe, Amen, Benitz, Blair, Brown, Charnley, Chatalas, Cunningham, Curtis, Eikenberry, Gallagher, Gilleland, Hendricks, Jastad, Julin, Kilbury, Knowles, Leckenby, Luders, Nelson, North (Lois), Parker, Patterson, Polk, Pullen, Rabel, Schumaker, Shinpoch, Swayze, Tilly, Van Dyk, Wilson and Zimmerman: Exempting prescription drugs from retail sales and use taxes.....	23	4344	4416, 4423- 4432	4533, 4543	700- 702, 1101, 3249, 4378	4543	4572	4592	Ch. 185 3rd Ex.
9. Representatives Kilbury and Luders: Imposing the death penalty for certain crimes and changing the method of execution.....	26				4249- 4251				
10. (Substitute) by Committee on Judiciary: Providing that disclaimer of warranties in the sale of consumer goods shall be ineffective.....			1600, 1604- 1607	1607, 3403, 3924		2857, 3923	3964	4007	Ch. 78 3rd Ex.



request): Eliminating motor vehicle fuel tax refunds pres- ently available for watercraft in this state.....	68	348, 592	783, 786- 788, 3293	788, 1225, 3292- 3293	356	2857
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90. Representatives Kopet, Thompson and Curtis (by Legislative Budget Committee request): Providing for filing of per- sonal service contracts.....	86	625, 3505	842, 3672	843, 1225	3458	2857
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90. (Substitute) Committee on Ways and Means: Providing for filing of personal service contracts.....			3672	3673, 4509	4508	4513	4533	Ch. 191 3rd Ex.
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94. Representatives Beck, Parker, Bender, Anderson and Ceccarelli: Providing vet- erans with certain public employment preferences.....	87	3310	3638					
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94. (Substitute) Committee on State Government: Providing veterans' preference in civil service exams.....			3639	3639	4339	4353	4408	Ch. 170 3rd Ex.
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101. Representatives Warnke and Bagnariol: Authorizing pay- ment for unused sick leaves..	88	3310			3579			
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102. Representatives Bauer, Berentson, Laughlin, Hansey and Erickson: Authorizing alternative procedures				492, 1226,				
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SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
Council request): Providing for a change in the method of computing the salary of the court administrator.....	148	1690	3412	3413		4464	4469	4511	Ch. 156 3rd Ex.
203. Representatives Warnke and Lysen: Defining "confidential relationship" in public employ-ees' collective bargaining...	160	749			3257				
223. Representatives Maxie, King and Douthwaite (by Joint Committee on Higher Ed-ucation request): Author-izing state colleges and universities to adopt rules providing for collective bar-gaining with their respective faculties.....	164				3300				
241. Representatives King, Maxie, Smythe, Lysen, Charnley and Eng: Exempting from fees those community college students not completing high school.....	174	630		1396, 4262	4263				



242. Representatives Luders, Knowles, Pardini and Patterson: Declaring it a misdemeanor to duplicate or possess a duplicate of a key to a public building..	174	710	1368, 3499- 3501	1368, 3499- 3501	2858			
251. Representative Knowles, Wojahn and Eikenberry (by Judicial Council request): Providing wrongful death actions in the case of the death of a child.....	177	3392	3487					
251. (Substitute) Committee on Judiciary: Providing wrongful death actions in the case of the death of a child.....			3487	3487				
253. Representatives Kopet, Wojahn, Curtis and Leckenby: Providing procedures for use of confi- dential information within the department of social and health services.....	177	451	821	3404, 3455	3455			
288. Representative Kilbury: Relating to agriculture.....	203	2911	3465, 3486		3486			
289. Representatives Polk, Lysen, Freeman and Julin: Providing for motorists' information signs.....	204	773	847, 881	881, 1240, 3404, 3913	2858, 3913	3964	4007	Ch. 80 3rd Ex.

SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
303. Representatives Moon, Van Dyk and Wojahn (by Legislative Council request): Requiring state-wide reporting of all fires in the state to be submitted to the state fire marshal.....	206	1565	3515	3516	3574- 3575				
315. Representative Kilbury: Re- lating to agriculture.....	209	4207							
322. Representative Kilbury: Re- lating to agriculture.....	211	4159							
352. Representatives Moon, Flanagan, Williams and Erickson: Pertaining to listing of exempt property...	232	935	1369	1369, 4353	4354	2858			
379. Representatives Clemente, Curtis and Ceccarelli: Im- plementing laws relating to action by owner of stolen goods brought to recover them.....	253	3340							





	istration request): Providing for a corporation to sue or be sued in its corporate name... 266	1905, 3598	3682	3683	3458, 4157	4157
427.	Representative Kilbury (by Department of Agriculture request): Providing regulations for the salvage of food. 279	1769	2912, 3346, 3394			3346
427.	(Substitute) Committee on Agriculture: Providing regulations for the salvage of food.....		3394		3395- 3396	
430.	Representatives Perry, Swayze, Charnley, Kraabel, Sommers, Rabel, Thompson, Valle, Gilleland, Van Dyk, Bluechel, Brown, Blair, Wilson, North (Lois), Luders, Maxie, Ceccarelli, Cunningham, Eng, Hoggins, Matthews and Williams (by Executive request): Creating a department of transportation..... 279	593, 3411, 4236	4459		3257, 3477	
430.	(2nd Substitute) Committee on Ways and Means: Creating a department of transportation.		4459	4460		
431.	Representative Bagnariol: Providing for cities or towns of the second, third or fourth class to call for bids for the purchase of supplies, materials, or equipment..... 281	1276			3257	



of certain highways.....	304	1718	2917	3405		3229			
461. Representatives Perry, Hoggins and Knowles: Pro- viding for collective bar- gaining for employees of the state universities and state colleges.....	304					3300			
466. Representatives Gilleland, Beck, Berentson, Conner, Hansey and Freeman: Making it a misdemeanor to operate a vehicle with license plates or tabs not assigned to it.....	305	776	3710- 3712	3712					
473. Representatives Jastad, Bagnariol, Wojahn, McCormick, Savage, Kalich, Thompson, Anderson, Ceccarelli and Gaines: Authorizing card rooms, pinball machines, punch cards and pull tabs....	307	3411	3488						
473. (Substitute) Committee on Commerce: Authorizing card rooms, pinball machines, punch cards, and pull tabs...					4034-4036, 3544, 3488- 3491	4031, 4136, 4288- 4293	4136, 4147, 4572	4154 4154	Override PV Ch. 155 3rd Ex.
474. Representatives Smith, Bluechel, Sommers, Bausch, King, Ehlers, Zimmerman, Bauer, Blair and Gaspard: Allowing state, city and						1757, 3406,			





Pardini and Lysen: Amending provisions regulating conveyances used in winter ski activities.....	346	487			3257			
530. Representatives Van Dyk, Benitz, Kilbury, Amen and Bauer: Changing the law regulating commission merchants.	359	738, 2954	2038, 2092- 2096, 3172	2096	2928	2858		
530. (Substitute) Committee on Agriculture: Changing the law regulating commission merchants.....					3173, 3296		3229	
541. Representatives Eikenberry, Knowles, Gaspard, Smith, Polk, Swayze, Luders, May, North (Lois), Chatalas, Julin and Pullen: Setting out standards for determining the amount of bonds for injunctions affecting public construction contracts...	361	1522	3413					
541. (Substitute) Committee on Judiciary: Providing for injunctions affecting construction contracts.....			3413	3414, 4282	4280- 4282	3905, 4572	3933	4007
546. Representatives Bagnariol, Barden and Berentson: Changing laws of motor vehicle assigned risk insurance.....	362	1905				3458		
								Override Vetoed Ch. 153 3rd Ex.

SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
549. Representatives Kuehnle, Beck, Zimmerman, Pardini, Bagnariol, Randall, Paris, Hendricks, Garrett, Patterson, Barden, Luders, Knowles, Eng, and Matthews: Regulating sale and transfer of devices adapted for the use of drugs by injection.....	362	1447	1673	1673, 3542		2858			
550. Representatives Ellis, Garrett, Hansen, Morrison, Newhouse, Benitz, Flanagan and Johnson: Increasing Yak- ima county superior court from four to five members....	363	4236	4261						
550. (Substitute) Committee on Judiciary: Increasing Yak- ima County superior court from four to five members....			4261	4261					
554. Representative Knowles: Setting a time limitation for the transfer of prior service credits into the judicial retirement system...	363	1458	3414	3415					

556.	Representatives Maxie, Rabel and King: Providing for student participation in community college tenure process.....	364	633	864, 2026- 2028	2028, 3453	2858, 3905	3933	4007	Ch. 33 3rd Ex.
566.	Representatives Ceccarelli, Barden and Chatalas: Requir- ing savings and loan assoc- iations to pay for the cost of state supervision.....	389	778	1378	1378, 3297	2858, 3782	3840	3847	Ch. 22 3rd Ex.
569.	Representatives Wojahn, Valle, Blair, Nelson and Paris: Providing laws for noise abatement and control..	389	2887	3057					
569.	(Substitute) Committee on Ecology: Providing laws for noise abatement and control..			3057	3058, 3297- 3299, 3928	3925- 3927	3229 3924	3964	4007 Vetoed
582.	Representatives Martinis, Pardini, Thompson, Charnley and Kraabel: Providing for the study and preservation of wild, scenic and recre- ational rivers.....	392	679	868, 3173- 3181	3181, 3448- 3449	3229			
596.	Representatives Johnson and Kelley: Permitting a vin- tage motor vehicle to be used for daily transportation and bear plates from its year of manufacture.....	410	1397	1674	1675, 3406	2858			



	ral services from the definition of employment agencies.	419	2888	3348	3349				
631.	Representative Douthwaite: Authorizing the director of fisheries to manage and regulate unclassified fish, shellfish, and marine invertebrates.....	420	1458	3683	3683				
636.	Representative Smith: Allowing the department of fisheries to supply salmon eggs for use in fish farming or aquaculture for any length of time.....	421	1459	2039	2039, 3313	2858, 3782	3840	3847	Ch. 23 3rd Ex.
637.	Representatives Charette, Thompson, Bausch, Conner, Jastad, Van Dyk, Anderson, Savage, Benitz, Schumaker, Zimmerman, Newhouse, Flanagan, Clemente, Goltz, Paris, Kalich, Haussler, Swayze, North (Lois) and Berentson: Enacting the forest practices act of 1973.....	422	2888, 3290	3567	3257				
637.	(2nd Substitute) Committee on Natural Resources: Enacting the forest practices act of 1974.....			3567- 3568	3569	3781	3840	3847	PV Ch. 137 3rd Ex.



	jects affected by environ- mental litigation.....	440	740	1538, 1550	1878	3300	2858	
662.	Representatives Parker, Fortson and Rabel: Relating to liability of persons withdrawing blood.....	443	1362	1555	2384, 3450	2385	2534	
670.	Representatives Nelson, Gilleland, Charnley and Beck: Pertaining to local sales taxes adopted to fin- ance local public transpor- tation systems.....	445	780, 2049, 3291, 3461	3569		884, 3257, 3422		
670.	(Substitute) Committee on Transportation and Utilities: Authorizing and funding for public transportation systems.		3723	3569, 3801	3802, 4549	3569	4545	4585 - 4601
671.	Representatives Gallagher, Conner and Kalich: Permit- ting Sunday boxing and twelve-round state and regional championship bouts..	445	2888	3397				PV Ch. 167 3rd Ex.
671.	(Substitute) Committee on Commerce: Implementing the laws relating to the length of boxing matches.....			3397	3397		3841	3904
717.	Representatives Polk, Parker and Brown: Relating to compensation of the or- ganized militia.....	483	3311	3517	3518		3781	3840
							3847	Ch. 46 3rd Ex.







SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
Fortson and Laughlin: Allow- ing certain public officials to transfer from teachers' retirement to public employ- ees' retirement system and allowing retirement from teachers' retirement system after twenty-five years.....	538	3392	4263						
779. (Substitute) Committee on Education: An act relating to public employment.....			4263- 4269	4270, 4512		4512	4513	4533	PV Ch. 199 3rd Ex.
784. Representatives Bausch and Ehlers: Increasing mileage allowance for state offi- cials and employees.....	539	4236	4482	4482	1273	4511	4520	4542	Ch. 157 3rd Ex.
791. Representatives Bluechel, Rardall, Williams, Zimmerman, Charnley, Kopet, Brown, North (Lois), Matthews, Kraabel, Patterson, Hoggins, Perry, Rabel, Nelson and Blair: Enacting the Wash- inton Land Use Act.....	540	1450, 3527	1669- 1671	1671	3257	2858			





Preserving allocations of urban arterial trust account funds when construction delayed due to court order.....			4351	4551		4550	4572	4592	PV Ch. 168 3rd Ex.
868. Representatives Perry and Kraabel: Relating to transportation facilities....	562	4295							
869. Representative Luders: Relating to air pollution....	562	4181	4270						
869. (Substitute) Committee on Ecology: Relating to air pollution.....			4270	4270		4511	4513	4533	Ch. 164 3rd Ex.
915. Representative Barden: Relating to banks, mutual savings banks, and savings and loan associations.....	567	634	836- 839	1422	3257	2858			
916. Representatives McCormick, Bagnariol and May: Relating to outdoor advertising.....	567	3527	3661- 3663	3663,	4283- 4284	3841, 4572	3904	3935	Override Vetoed Ch. 154 3rd Ex.
931. Representative Luders: Implementing the laws relating to insurance.....	598	3506	3665	3666, 3917		3917	3964	4008	Ch. 82 3rd Ex.
946. Representatives Matthews and Adams: Permitting the department of social and health services to adjust vendors' rates.....	603	1632	1784- 1786	1786, 3315- 3316		2848			

SUBJECT AND HISTORY OF HOUSE BILLS

NUMBER, AUTHOR AND SUBJECT	Intro. & 1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action by House	Report from Senate	Signed by Speaker	Signed by Pres. Senate	Action by Gov.
951. Representatives Cunningham, Kopet, Luders, Pardini, Curtis, Morrison, Kilbury, Bagnariol, Charette, Randall, Laughlin, Hansen, Knowles, May, Freeman, Shinpoch, Bauer, Conner, Hurley, Smith, Barden, Bluechel, Brown, Hansey, Paris, Nelson, Matthews, Gilleland, Hendricks, Garrett, Patterson, Tilly, Polk and Pullen: Providing for a state investigative unit in the department of social and health services...	604					3323			
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966. Representatives Van Dyk and Zimmerman: Providing for determination of municipal water rates.....	615	1720	1820, 1824	1874, 3451	1875	2858			

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1049. (Substitute) Committee on Labor: Requiring minimum standards for self-insurers with regard to industrial insur- ance to be set by the director of labor and industries.....			2030, 3542, 3630	2031, 3691	3566, 3630	2859			
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1116. Committee on Commerce (Endorsed by: Represent- atives Wojahn, Kuehnle, Jueling, Gilleland, Williams, O'Brien, Garrett, Gallagher, Jastad, Ceccarelli, Randall and Leckenby): Making certain changes in the law relating to flammable fabrics.....	2859			3257
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4. Representatives Hansey, Martinis, Paris, Smythe, Berentson, Nelson, Van Dyk, Schumaker, Thompson, Goltz, Bausch, Polk, Luders, Curtis, Knowles, Rabel, Freeman, Zimmerman, Bender, Hoggins, Clemente, Tilly, Bauer, Gilleland, Barden, Garrett, Hendricks, Kopet, Leckenby, Matthews, North (Lois) and Pullen: Memorializing Oregon to prohibit commercial harvest and sale of steelhead trout....	191	923	3485					
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17. Representatives Martinis, Savage, Smythe, Conner, Thompson and Wilson: Petition- ing Congress to enact legisla- tion to protect employee pen- sion rights.....	569	1410	3421, 3463- 3464	3465	3421	3781	3840	3847
26. Representatives Perry, Laughlin, Patterson and Berentson: Memorializing the Congress to continue the construction schedule of dams in the Columbia River power system.....	3388	3725						
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21. Representatives Nelson, Douthwaite and Valle: Proposing constitutional amendment to allow first class cities to use public funds for indus- trial development or trade promotion.....	485	780		3398- 3402	3402			
31. Representatives Charnley, Brown and Perry: Revising Article XXIII of the Consti- tution relating to amendments and revisions.....	621		1411, 3342	2921	2922	3300	3229	
35. Representatives Fortson, Bender, Clemente, Hansen and North (Frances): Amending the Constitution to authorize property tax relief for homeowners.....	1266							3408
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36. Representative Randall: Relating to revenue and taxation.....	1310	4342						
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60. Representative Charette: Joint session honoring Senator Jackson of the U. S. Senate...	3239		3239	3239		3251	3251	3276
61. Representative Douthwaite: Resolving that a study be made of the rate of increase in the cost of rental housing.	3389					3478		
62. Representatives Adams, Parker and Wojahn: Requiring the department of social and health services develop a cost-related reimbursement system for nursing homes.....	3389	3443	3496	3497, 4106	4092	4091, 4106	4135	4151



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155. Representative Charette: Appointing committee to notify Senate that House organized and ready for business..	3238	3238		
156. Representative Charette: Providing for weekly payment of members and employees.....	3239	3239		
158. Representative Charette: Adopting permanent rules of 2nd extraordinary session as temporary rules of 3rd extraordinary session.....	3240	3240		
159. Representatives Douthwaite, Maxie, Clemente, Goltz, Bender and Eng: Tribute to memory of Dr. Martin Luther King.....	3266	3266		
162. Representatives Eng, Maxie, O'Brien, Conner and Chatalas: Tribute to Central Area Mental Health Clinic.....	3695	3696		
163. Representatives Beck, Polk, Randall, Smith, Bausch, Parker and Honan: Tribute to Captain Ernest E. Tissot and crew of carrier U.S.S. Enterprise.....	3584	3585		
164. Representatives Perry, Charnley and Douthwaite:				

Requesting the Highway Commission to restrict length of combination trucks and trailers.....	3773	3774
166. Representatives Conner, Ehlers, Gaines, Bausch, Patterson, Benitz, Brown, Beck, Chatalas, Ceccarelli and Williams: Regarding the G.I. Bill.....	4592	4592
167. Representatives Erickson, Ehlers, Kalich, Jastad, Hansen, Gaspard and Kelley: 75th Birthday and Diamond Jubilee of Mt. Rainier National Park.....	4599	4599
173. Representative Thompson: Regarding the Community Hypertension Evaluation Clinic (CHEC).....	3799	3800
186. Representatives Bagnariol, North (Frances), Charette, Luders, Chatalas, Shinoch, Valle, Bluechel, Tilly, Hoggins, Nelson, Freeman, Hansey and Warnke: Regarding National Secretaries' Week.....	4593	4593
187. Representatives Curtis and Tilly: Encouraging the Navy to retain site at Boardman.....	4593	4593
191. Representative Thompson and all other members of the House: Appreciation to Julia Butler Hansen.....	4230	4230
194. Representatives Morrison, Hansen, Hansey and Garrett: Regarding light reflectors on railroad cars.....	4594	4594
196. Representatives Kilbury, Benitz, Haussler, Amen, Schumaker, Laughlin, Tilly and Van Dyk: Regarding vessels carrying anhydrous ammonia from the Kenai Peninsula to Columbia River.....	4594	4594
201. Representatives Goltz, Kopet, Ceccarelli and Rabel: Proclaiming "National Volunteer Week".....	4595	4595

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204. Representatives Anderson, Hendricks and Bausch: Thanking Thurston County health care services.....	4597	4597		
205. Representatives Douthwaite, Charnley, Gaines, Laughlin, McCormick, Kilbury and Perry: Petitioning Congress to improve AMTRAK services in Washington state....	4597	4597		
206. Representatives Perry, Hansen, McCormick, Barnes, Bender, Berentson, Ceccarelli, Clemente, Conner, Douthwaite, Gaines, Gallagher, Garrett, Gilleland, Kalich, Kraabel, Laughlin, Leckenby, Lysen, Martinis, Nelson, Patterson, Pullen, Schumaker, Wilson and Charnley: Congratulating George Andrews on being named one of top ten men of the year by American Public Works Association.....	4598	4598		
209. Representatives Adams, Parker, Ellis, Freeman, Goltz, Jastad and Savage: Petitioning Congress to establish a national health care program.....	4599	4599		
210. Representatives Hurley, Randall, Smith, Sommers, Maxie, Freeman, Gaines, O'Brien, Hansen, Lysen, Parker, Fortson, Gallagher, North (Frances),				

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211. Representatives Maxie, Eng, Chatalas and O'Brien: Urging Congress to extend the Economic Opportunity Act for 2 years.....	4600	4600
212. Representatives Erickson, Maxie, Wojahn and Laughlin: Asking Congress to continue funds for the Community Action Program.....	4601	4601
215. Representative Charette: Postponing all bills indefinitely.....	4612	4612
216. Representative Charette: Notifying Senate that House is ready to adjourn sine die.....	4611	4611
217. Representative Charette: Regarding standing committee assignments in interim prior to 44th Legislature.	4602	4602
218. Representative Charette: Directing completion of work of 43rd Legislature.....	4602	4605



and Lewis (Harry): Allowing port districts to select a treasurer other than the county treasurer.	1308, 3479	1311, 3479	1691, 3706	3732	3732		3772	3772	Ch. 13 3rd Ex.
2120. (Substitute) by Committee on Higher Education: Imposing additional duties on council on higher education relating to technological education.....	1765, 3459	1766, 3459	2342, 3694	3731	3732		3772	3773	Ch. 4 3rd Ex.
2132. (Substitute) by Committee on Local Government (Originally sponsored by Senators Murray, Fleming and Bottiger): Providing for a state criminal justice training commission.....	3183, 3479	3186, 3479	3706	3758, 3761	3762	3758	4078	4091	Ch. 94 3rd Ex.
2156. Senators Francis, Murray, Grant, Ridder and Woody (by Attorney General request): Providing that limitations on implied warranties shall be of no effect regarding consumer goods.....	4276	4276		4457	4457	4276	4511	4511	Ch. 180 3rd Ex.
2186. (2nd Substitute) Committee on Social and Health Services: Regulating the practice of naturopathy.....	3696	3697	4182						
2211. Senators Francis and Whetzel: Allowing prosecutor of King county to contract with attorney general to initiate support proceedings....	3631	3631	3754						

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NUMBER, AUTHOR AND SUBJECT	Rec'd. from Senate	1st R'd'g	Commit- tee Report	2nd R'd'g Amend- ments	3rd R'd'g Final Passage	Other Action in House	Signed by Pres. Senate	Signed by Speaker	Action by Gov.
2235. Senators Walgren and Herr: Requiring precinct officers to appear on absentee ballots.....	535,1267, 2907, 3459	571, 2908, 3459	985, 3706	3858	3859		3914	3933	Ch. 73 3rd Ex.
2248. Senators Woody, Atwood and Bottiger: Establishing certification procedures for court reporters.....	657, 1267, 3590	659, 3591	963, 3775						
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3040. Senators Day, Jones, Van Hollebeke and Ridder: Creating the Washington health care facilities authority.....	3696	3699	3777	3815	3816		3865	3904	PV Ch. 147 3rd Ex.
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