

Sec. 3. Section 43.51.570, chapter 8, Laws of 1965 as amended by section 85, chapter 154, Laws of 1973 1st ex. sess. and RCW 43.51.570 are each amended to read as follows:

The commission may, by agreement with an individual or company enroll and supervise additional young persons, who shall be furnished compensation, subsistence, quarters, supplies and materials by the cooperating private company or individual, to develop, maintain or improve natural and artificial recreational areas for the health and happiness of the general public. The corps shall not be engaged in the development, improvement or maintenance of a commercial recreational area or resort, and the individual or corporation entering such agreement with the commission shall make such improved areas available to the general public without cost for a period of at least ~~((forty))~~ five years. Private individuals may reserve the right to close the area during periods of fire hazard or during periods when excess damage would be caused by public use.

Passed the Senate January 30, 1975.

Passed the House March 3, 1975.

Approved by the Governor March 10, 1975.

Filed in Office of Secretary of State March 10, 1975.

CHAPTER 8

[Senate Bill No. 2163]

OFFICIAL STATE GEM—PETRIFIED WOOD

AN ACT Relating to the designation of an official state gem; and adding a new section to chapter 1.20 RCW.

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

NEW SECTION. Section 1. There is added to chapter 1.20 RCW a new section to read as follows:

Petrified wood is hereby designated as the official gem of the state of Washington.

Passed the Senate February 10, 1975.

Passed the House March 5, 1975.

Approved by the Governor March 12, 1975.

Filed in Office of Secretary of State March 12, 1975.

CHAPTER 9

[Substitute House Bill No. 111]

SUPPLEMENTAL BUDGET

AN ACT Relating to expenditures by state agencies; adopting a supplemental budget for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975; making other appropriations; amending section 11, chapter 197, Laws of 1974 (uncodified); and declaring an emergency.

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

NEW SECTION. Section 1. That a supplemental budget as set forth in sections 2 through 20 of this 1975 amendatory act is hereby adopted and subject to the provisions set forth in sections 2 through 20 of this 1975 amendatory act, the

several amounts specified in sections 2 through 20 of this 1975 amendatory act, or so much thereof as shall be sufficient to accomplish the purposes designated are hereby appropriated and authorized to be disbursed for salaries, wages and other expenses of the designated agencies and offices of the state and for other specified purposes 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 GOVERNOR—  
SPECIAL APPROPRIATIONS**

<p>General Fund Appropriation: To provide effective March 1, 1975, sufficient general fund appropriations as are necessary to implement the salary increase for state classified and higher education classified employees as contained in the State Personnel Board and Higher Education Personnel Board July 1974 Salary Survey and for comparable increases for state employees who are exempt from the classified service: PROVIDED, That an additional sum of \$15 per month above the 1974 salary surveys is added for each employee in range 13 and below under the 1974 State Personnel Board classifications as of March 1, 1975 and for each employee in range 21 and below under the 1974 Higher Education Personnel Board classifications as of March 1, 1975: PROVIDED FURTHER, That \$2,102,445 of this amount shall be from federal sources . . . . .</p>	<p>\$ 12,014,981</p>
<p>General Fund Appropriation: To provide effective March 1, 1975, for faculty and exempt employees, excluding student employees not under the jurisdiction of the State Personnel Board or the Higher Education Personnel Board classification systems, of the four year units of higher education and the Community College System, an average salary increase of twelve percent: PROVIDED, That the twelve percent average salary increase shall include both incremental increases and general salary increases granted previously within the individual institutions in fiscal year 1975: PROVIDED FURTHER, That \$781 of this amount shall be from federal sources . . . . .</p>	<p>\$ 6,478,570</p>
<p>General Fund Appropriation: To provide effective March 1, 1975, sufficient general fund appropriations as are necessary to implement a 6% salary increase for commissioned members of the Washington State Patrol: PROVIDED, That \$4,444 of this amount shall be from federal sources . . . . .</p>	<p>\$ 11,109</p>

Special Fund Salary Increase Revolving Fund Appropriation: To facilitate payment of state employee salary increases from special funds, 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 March 1, 1975, the salary increase for state employees as contained in the State Personnel Board and Higher Education Personnel Board July 1974 Salary Survey and for comparable increases for state employees who are exempt from the classified service: PROVIDED, That an additional sum of \$15 per month above the 1974 salary surveys is added for each employee in range 13 and below under the State Personnel Board classifications as of March 1, 1975 and for each employee in range 21 and below under the Higher Education Personnel Board classifications as of March 1, 1975 .....	\$ 6,433,258
Special Fund Salary Increase Revolving Fund Appropriation: To facilitate payment of salary increases from special funds, 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 March 1, 1975, the salary increase for faculty and exempt personnel at the four year institutions of higher education and the community college system.....	\$ 10,056
Special Fund Salary Increase Revolving Fund Appropriation: To facilitate payment of a 6% salary increase from special funds for the Washington State Patrol, 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 March 1, 1975, the salary increase for commissioned members of the Washington State Patrol.....	\$ 250,638
<u>NEW SECTION.</u> Sec. 3. FOR THE SUPERIOR COURT JUDGES	
General Fund Appropriation .....	\$ 42,255

**NEW SECTION. Sec. 4. FOR THE SECRETARY OF STATE**

General Fund Appropriation ..... \$ 480,498

**NEW SECTION. Sec. 5. FOR THE OFFICE OF PROGRAM PLANNING AND FISCAL MANAGEMENT**

General Fund Appropriation: For improvements to the state accounting, payroll, and management information systems: PROVIDED, That if federal funds become available for these purposes, an amount of state funds equal to the federal funds received shall not be expended ..... \$ 125,000

**NEW SECTION. Sec. 6. FOR THE ATTORNEY GENERAL**

General Fund Appropriation: For legal expenses attendant to anti-trust cases to which the state is a party ..... \$ 120,000

**NEW SECTION. Sec. 7. FOR THE DEPARTMENT OF NATURAL RESOURCES**

General Fund Appropriation: For transfer to the General Fund—General Contingency Forest Fire Suppression Account, as needed, for the payment of forest fire suppression costs ..... \$ 300,000

General Fund—General Contingency Forest Fire Suppression Account Appropriation ..... \$ 600,000

**NEW SECTION. Sec. 8. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

It is the intent of the legislature that of the General Fund Appropriations totaling \$20,525,000 contained in this section, \$10,150,000 shall be from state funds and \$10,375,000 shall be from federal and local funds: PROVIDED, That the Department of Social and Health Services shall construe eligibility requirements for all of its programs so as to achieve maximum practical economy and cost containment in expenditures for such programs including potential reductions in exceptions granted and more stringent imposition of and control of priority standards in all programs and in particular the Income Maintenance and Medical Assistance programs: PROVIDED FURTHER, That the Department of Social and Health Services is authorized with approval of the Ways and Means Committees of the Legislature if in session or the Legislative

Budget Committee if the Legislature is not in session to shift funds from other programs within the Department of Social and Health Services or apply unanticipated receipts to reduce expenditures against state funds appropriated in this section: PROVIDED FURTHER, That the Department of Employment Security shall give priority consideration to the allocation of Comprehensive Employment and Training Act jobs made available to the state as a prime sponsor or from other prime sponsors in the state to the Department of Social and Health Services which shall utilize the maximum number of positions from those made available to reduce AFDC and GA caseloads.

General Fund Appropriation  
 For Income Maintenance ..... \$ 900,000

General Fund Appropriation  
 For Medical Assistance: PROVIDED, That so much as may be necessary of this appropriation shall be applied toward outstanding 1971-73 obligations for medical services, supplies, and hospital adjustments ..... \$ 16,600,000

General Fund Appropriation  
 For Community Social Services ..... \$ 2,800,000

General Fund Appropriation  
 For Administration and Supporting Services: PROVIDED, That this appropriation shall be expended to expedite the cost savings programs resulting from increased audit and management control activities including increased quality control and performance improvement programs ..... \$ 225,000

NEW SECTION. Sec. 9. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Administration Facilities and Services Revolving Fund Appropriation ..... \$ 132,115

General Fund Appropriation: For the maintenance of Northern State Hospital in saleable condition through June 30, 1975 ..... \$ 79,000

NEW SECTION. Sec. 10. FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation ..... \$ 28,051

NEW SECTION. Sec. 11. FOR THE OFFICE OF THE GOVERNOR

General Fund Appropriation ..... \$ 25,000

NEW SECTION. Sec. 12. FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation: For watermaster services in Walla Walla County..... \$ 2,500

NEW SECTION. Sec. 13. FOR THE WASHINGTON FUTURE PROGRAM

Appropriated to:  
DEPARTMENT OF ECOLOGY

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), relating to municipal and industrial water supply projects: PROVIDED, That (1) the state portion of municipal and industrial water supply projects may be as much as fifty percent; (2) the state may provide one hundred percent of the costs, other than construction, 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 ..... \$ 5,000,000

NEW SECTION. Sec. 14. FOR THE STATE BOARD FOR COMMUNITY COLLEGES

General Fund Appropriation: PROVIDED, That this appropriation shall be used for the independent development of standards of effectiveness and efficiency that will be used to support future budget requests of the community college system and to evaluate the performance of the community college system: PROVIDED FURTHER, That the standards shall represent what is determined to be reasonable and fair for the work in question while recognizing the elements of program effectiveness and operating efficiency: PROVIDED FURTHER, That the criteria to be utilized in developing the standards shall be subject to the review and approval of the legislative budget committee: PROVIDED FURTHER, That the development of the standards shall proceed in accordance with the following schedule:

<u>Task</u>	<u>Completion Date</u>
(1) Establish criteria that	

will be utilized in developing standards	March 31, 1975	
(2) Select independent consultant	April 30, 1975	
(3) Present progress report of the independent consultant to the legislative budget committee	October 31, 1975	
(4) Present final recommendations of the independent consultant to the legislative budget committee	April 30, 1976.....\$	90,000

**\*NEW SECTION. Sec. 15. FOR THE STATE TREASURER-TRANSFERS**

General Fund—Investment Reserve Account Appropriation: For transfer to the General Fund on or before June 29, 1975, pursuant to Chapter 50, Laws of 1969, in addition to amounts appropriated in Section 89, Chapter 137, Laws of 1973 1st ex. sess. ....	\$	5,500,000
General Fund Appropriation: For transfer to General Administration Facilities and Services Revolving Fund for Messenger, Archival, Parking and Buildings and Grounds Services provided to the Senate, House of Representatives, and legislative committees through June 30, 1975.....	\$	160,000

**\*NEW SECTION. Sec. 16. FOR THE LEGISLATURE**

<i>General Fund Appropriation: For the Legislative Budget Committee: PROVIDED, That this appropriation shall be held as a contingency fund for the Department of Social and Health Services and shall be released as determined necessary by the Legislative Budget Committee to support the Income Maintenance, Medical Assistance, and Community Social Services programs in the event the Department of Social and Health Services is unable to manage caseloads or program costs within the amounts appropriated by law for the 1973-75 biennium .....</i>	\$	13,200,000
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\*Sec. 16. was vetoed; see message at end of chapter.

**NEW SECTION. Sec. 17. FOR THE LEGISLATURE**

General Fund Appropriation: There is hereby appropriated, in equal amounts to the Senate and House of Representatives, the following sum, or so much thereof as may be necessary, for the purposes of, but not to be limited to, completion of the current joint pension study, continuation of present Public Service Broadcasting Television coverage of legislative activity and events, and for continued funding of the Joint Legislative Evaluation and Accountability Project: PROVIDED, That of this amount \$150,000 shall be used to retain a qualified consulting firm who shall, in conjunction with the State Personnel Board and Higher Education Personnel Board, and participation by employee organizations, complete a salary survey by December 1, 1975: PROVIDED, That such survey shall include, but not be limited to, current procedures as used by the Higher Education Personnel Board and State Personnel Board, and shall also include and establish acceptable methodology designed to implement the survey findings, considering fringe benefits, including the pro rata employer/employee contributions as part of that salary survey: PROVIDED FURTHER, That the consulting firm shall review the overall survey, in conjunction with the State Personnel Board and Higher Education Personnel Board, and shall recommend to the Legislature not later than January 1, 1976, any new methodology necessary which will improve the present methods used . . . . . \$

835,000

**NEW SECTION. Sec. 18. FOR THE DEPARTMENT OF MOTOR VEHICLES**

Highway Safety Fund Appropriation: For filing and service of process costs incurred by counties in habitual traffic offender cases . . . . . \$

332,605

**NEW SECTION. Sec. 19. FOR THE DEPARTMENT OF EMPLOYMENT SECURITY**

General Fund Appropriation: PROVIDED, That this amount shall be used to contract with private training schools for the delivery of training and placement services to persons applying at Neighbors in Need Food Banks: PROVIDED, That contracts for services shall be based on performance criteria: PROVIDED, That contractors will be selected by the department: PROVIDED FURTHER, That the department shall report the combined results of this project as well as the prior project carried out under



section 22, chapter 197, Laws of 1974 ex. sess., to the legislature in January, 1976 . . . . . \$ 75,000

**NEW SECTION. Sec. 20. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund Appropriation: To be added to federal grant of \$2,000 for printing and publication of handbook for parents of special education students as prepared by S.P.I. task force . . . . . \$ 4,000

Sec. 21. Section 11, chapter 197, Laws of 1974 ex. sess. (uncodified) is amended to read as follows:

**FOR THE TEACHERS' RETIREMENT SYSTEM**

Teachers' Retirement Fund Appropriation . . . . . \$ 79,683

General Fund Appropriation: PROVIDED, That this amount shall be used for the implementation of Chapter ((-)) 193, Laws of 1974, ((3rd)) ex. sess. ((3d-SHB-1274))) . . . . . \$ 2,200,000

NEW SECTION. Sec. 22. This 1975 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.

- Passed the House March 13, 1975.
- Passed the Senate March 11, 1975.
- Approved by the Governor March 17, 1975, with the exception of section 16 which is vetoed.
- Filed in Office of Secretary of State March 17, 1975.

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

"I am returning herewith without my approval as to one section Substitute House Bill No. 111 entitled:

"AN ACT Relating to expenditures by state agencies; adopting a supplemental budget for the fiscal biennium beginning July 1, 1973, and ending June 30, 1975."

Section 16 appropriates \$13,200,000 to the Legislative Budget Committee as a contingency fund, to be released as that committee deems necessary to support certain programs of the Department of Social and Health Services. I am not opposed to the idea of appropriating contingency funds to an administrative agency for expenditure or grant to another agency, pursuant to appropriate constitutional or legislative standards. However, for reasons I have stated on several previous occasions, I believe that the manner in which the legislature has attempted to do so in this case is questionable.

In the first place, the attempted appropriation is, in form, an appropriation to a legislative committee for functions which are clearly executive and administrative. I have stated my opposition to that idea in several previous messages on the ground that it is inconsistent with the doctrine of separation of powers and, at best, violates the fundamentals of good government by interposing legislative interference in the administrative process. (See for example, section 3, chapter 210, Laws of 1973, 1st Ex. Sess.; also sections 21, 24, 25 and 26, chapter 197, Laws of 1974, 1st Ex. Sess.)

Second, I am advised that the delegation of such a function in this case would transform the Legislative Budget Committee into a "civil office" within the meaning of Article II, section 13 of the Washington State Constitution. This would prohibit any member of the legislature from being appointed to serve on that vital committee from the effective date of the appropriation to the end of the 1973-1975 biennium. I

am certain the legislature did not intend that result and I would feel obliged to veto the section for that reason, if for no other.

Finally, I have some doubt that section 16 would be upheld as a valid appropriation, if it were attacked on constitutional grounds. Section 16 in its present form would delegate to a legislative committee, in its sole discretion, the function of determining whether or not to "release" all or any part of the \$13,200,000 in question. Considering the nature of appropriation measures as legislation, and the traditional constitutional role of the legislative process, I question whether section 16 would be viewed as a completed appropriation, or whether it would instead be viewed as an improper attempt to delegate legislative power to a committee.

I would propose that the legislature consider as an alternative to section 16 as written an appropriation to the Department of Social and Health Services in contingency funds to be expended only upon certification by that agency to the Legislative Budget Committee and to the Office of Program Planning and Fiscal Management that there exists a need for those funds, and that funds previously appropriated which could have been used for the purposes stated have been exhausted prior to the use of the contingency funds. I believe such an appropriation would accomplish the desired purpose of the legislature in assuring that the funds are expended only upon the occurrence of certain contingencies.

With the exception of section 16, which I have vetoed for the foregoing reasons, the remainder of Substitute House Bill No. 111 is approved."

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## CHAPTER 10

[House Bill No. 124]

### DEPARTMENT OF NATURAL RESOURCES LANDS— FIREWOOD CUTTING PERMITS

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.

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

Section 1. Section 1, chapter 97, Laws of 1945 and RCW 76.20.010 are each amended to read as follows:

The ~~((commissioner of public lands))~~ department of natural resources may issue ~~((annual))~~ licenses to residents of this state ~~((who are citizens of the United States or have declared their intention to become such))~~ to enter upon lands ~~((belonging to the state))~~ under the administration or jurisdiction of the department of natural resources for the purpose of removing therefrom ~~((dead))~~, standing or downed timber which is unfit for any purpose except to be used as firewood.

Sec. 2. Section 3, chapter 97, Laws of 1945 and RCW 76.20.030 are each amended to read as follows:

The application may be made to the ~~((commissioner of public lands or his duly qualified representative for that purpose))~~ department of natural resources, and if deemed proper, the license may be issued upon the payment of ~~((one dollar))~~ two dollars and fifty cents which shall be paid into the treasury of the state by the officer collecting the same and placed in the ~~((state general fund))~~ resource management cost account; the license shall be dated as of the date of issuance and authorize the holder thereof to remove between the dates ~~((of October 15th and February 15th of the following year))~~ so specified not more than ~~((twelve))~~ six cords of wood not fit for any use but as firewood for the use of himself and family