

successor is elected and qualified, commencing with the second Monday in January succeeding the election.

Passed the House April 6, 1989.

Passed the Senate April 11, 1989.

Approved by the Governor May 11, 1989, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State May 11, 1989.

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

"I am returning herewith, without my approval as to sections 8 and 9, Engrossed House Bill No. 1802 entitled:

"AN ACT Relating to the court of appeals."

Under existing law, Superior Court judges are considered employees of the state and the county within which they preside and receive half of their salary from each. As a result of this dual status, they are eligible for medical benefits provided by both the state and their respective counties, if the county chooses to provide such coverage. A recent survey indicated that 18 of the state's 39 counties provide some form of medical benefit for Superior Court judges ranging from self-pay supplemental coverage to full benefits.

Sections 8 and 9 of this bill would exclude Superior Court judges whose benefits are provided by the state from the definition of employees eligible for county medical benefits. The apparent purpose of these amendments is to prevent judges from receiving full-blown, dual medical benefits from counties if they also receive state benefits, thereby avoiding the cost of dual coverage. This makes good fiscal sense.

However, the bill goes beyond simply prohibiting dual benefits. It would also prohibit coverage that some counties have chosen independently to provide, which is only supplemental to the primary state benefit and is no more extensive than coverage provided other county employees. In at least one large county, the supplemental county coverage is provided under a self-pay plan by the judge at no additional cost to the county.

I do not believe that counties should be prevented from entering into such supplemental coverage arrangements for their Superior Court Judges. I would, however, support future legislation similar to sections 8 and 9 that would permit counties the option of providing supplemental coverage if it does not exceed that offered to other county employees. The county could then decide to offer the supplemental coverage at county expense or via self-pay.

With the exception of sections 8 and 9, Engrossed House Bill No. 1802 is approved."

CHAPTER 329

[Substitute House Bill No. 1965]

BOARDING HOMES—EXCLUSIONS FROM DEFINITION

AN ACT Relating to boarding homes; and amending RCW 18.20.020 and 71A.22.040.

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

Sec. 1. Section 2, chapter 253, Laws of 1957 as last amended by section 4, chapter 213, Laws of 1985 and RCW 18.20.020 are each amended to read as follows:

As used in this chapter:

(1) "Aged person" means a person of the age sixty-five years or more, or a person of less than sixty-five years who by reason of infirmity requires domiciliary care.

(2) "Boarding home" means any home or other institution, however named, which is advertised, announced or maintained for the express or implied purpose of providing board and domiciliary care to three or more aged persons not related by blood or marriage to the operator. It shall not include facilities certified as group training homes pursuant to RCW 71A-.22.040, nor any home, institution or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution or section thereof. Nor shall it include any independent senior housing, independent living units in continuing care retirement communities, or other similar living situations including those subsidized by the department of housing and urban development.

(3) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor thereof.

(4) "Secretary" means the secretary of social and health services.

(5) "Department" means the state department of social and health services.

(6) "Authorized department" means any city, county, city-county health department or health district authorized by the secretary of social and health services to carry out the provisions of this chapter.

Sec. 2. Section 804, chapter 176, Laws of 1988 and RCW 71A.22.040 are each amended to read as follows:

Any person, corporation, or association may apply to the secretary for approval and certification of the applicant's facility as a day training center or a group training home for persons with developmental disabilities, or a combination of both. The secretary may either grant or deny certification or revoke certification previously granted after investigation of the applicant's facilities, to ascertain whether or not such facilities are adequate for the ~~((health, safety,))~~ care, treatment, maintenance, training, and support of persons with developmental disabilities, under standards in rules adopted by the secretary. Day training centers and group training homes must meet local health and safety standards as may be required by local health and fire-safety authorities.

Passed the House April 18, 1989.

Passed the Senate April 5, 1989.

Approved by the Governor May 11, 1989.

Filed in Office of Secretary of State May 11, 1989.