

For any public work or improvement of a first class city, municipal work forces may be combined with those of private contractors so long as the dollar value of the city's share does not exceed seven thousand five hundred dollars.

*Sec. 4. was vetoed, see message at end of chapter.

**** NEW SECTION. Sec. 5. There is added to chapter 35.23 RCW a new section to read as follows:***

For any public work or improvement of a second or third class city or of a town, municipal work forces may be combined with those of private contractors so long as the dollar value of the city's or town's share does not exceed eleven thousand two hundred fifty dollars.

*Sec. 5. was vetoed, see message at end of chapter.

Passed the Senate April 17, 1979.

Passed the House April 11, 1979.

Approved by the Governor April 26, 1979, with the exception of Sections 4 and 5 which are vetoed.

Filed in Office of Secretary of State April 26, 1979.

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

"I am returning herewith without my approval as to two sections of Substitute Senate Bill No. 2161 entitled:

"AN ACT Relating to public works contracts for cities and towns."

This bill provides cities and towns the needed flexibility to award low valued contracts. It provides for the establishment of small public works contractor rosters, and for second and third class cities and towns it increases from five to fifteen thousand dollars the value of a contract that may be let for public works projects and maintenance without competitive bids.

Sections 4 and 5 would permit the combining of municipal work forces with those of private contractors. These two sections fail to define the "dollar value of the city's or town's share" except in amount. This may create substantial confusion in the future with regard to labor and material costs, and equipment and overhead charges. Although the dollar amount is limited and places a significant constraint on this activity, there is a potential for future problems. There may be difficulties in finding fault, with possible protracted litigation, in the event of an accident during construction or finding of error upon completion of the project. Problems in employee relations could easily develop by having both public and private sector employees working side by side on the same job, because the wages, working hours, holiday schedules and working conditions are considerably different in the two sectors. My intention is to preclude such problems.

With the exceptions of Sections 4 and 5, which I have vetoed, the remainder of Substitute Senate Bill No. 2161 is approved."

CHAPTER 90

[Substitute House Bill No. 295]

NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM

AN ACT Relating to the Washington National Guard; creating new sections; and adding new sections to chapter 38.40 RCW.

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

NEW SECTION. Section 1. There is added to chapter 38.40 RCW a new section to read as follows:

Any enlisted member of the national guard of Washington enrolled in any institution of higher education as defined in RCW 28B.10.802(1), or who shall enroll in any such institution of higher education on or after the effective date of this act, shall upon completion of basic military training, and upon the meeting of such other eligibility requirements as established by the military department of the state of Washington, be eligible to apply for a national guard educational assistance grant of not to exceed one thousand dollars per year for any one recipient during the normal academic year. Grant funds may be applied to reimbursable educational costs for eligible items, which include: (1) Tuition, or the charge for instruction for the institution in which enrolled, (2) fees, which would include matriculation, graduation, activities and services fees, or incidental fees, and (3) costs of books, book rental, institutional services or laboratory supplies: PROVIDED, That such grant funds may not be applied to hospital and medical insurance fees, costs of dormitory residency, food, or personal maintenance. Application for these grants shall be made to the military department of the state of Washington. Entitlement shall be certified by the adjutant general. Such entitlement shall be available so long as the member of the national guard of Washington meets and maintains the specific requirements for receiving the grant as established by the military department of the state of Washington and pursues a course of study in such institution. Eligibility shall further be limited to twelve academic quarters or the equivalent thereof. Eligibility shall cease at the end of the academic year in which a recipient completes twelve years of creditable military service. Any enlisted member of the national guard of Washington who becomes a commissioned or warrant officer in the national guard of Washington after establishing eligibility for this grant shall not lose eligibility for this reason.

NEW SECTION. Sec. 2. There is added to chapter 38.40 RCW a new section to read as follows:

The national guard educational assistance program, as provided for in section 1 of this act, shall be funded as a line item in the budget of the military department of the state of Washington. The adjutant general shall be solely responsible for the development and administration of the national guard educational assistance program. Payment of grant funds shall be made to recipients by reimbursement upon submission of paid vouchers for eligible items.

NEW SECTION. Sec. 3. The national guard educational assistance program established under section 1 of this act shall terminate for any period of time during which mandatory national military conscription is in effect.

NEW SECTION. Sec. 4. 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.

Passed the House April 23, 1979.

Passed the Senate April 6, 1979.

Approved by the Governor April 27, 1979.

Filed in Office of Secretary of State April 27, 1979.

CHAPTER 91

[House Bill No. 229]

PUBLIC LIVESTOCK MARKETS—LICENSE FEE

AN ACT Relating to public livestock markets; amending section 3, chapter 107, Laws of 1959 as last amended by section 1, chapter 192, Laws of 1971 ex. sess. and RCW 16.65.030; and amending section 4, chapter 107, Laws of 1959 and RCW 16.65.040.

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

Section 1. Section 3, chapter 107, Laws of 1959 as last amended by section 1, chapter 192, Laws of 1971 ex. sess. and RCW 16.65.030 are each amended to read as follows:

~~((1))~~ (1) On and after ~~((the effective date of this chapter))~~ June 10, 1959, no person shall operate a public livestock market without first having obtained a license from the director. Application for such license or renewal thereof shall be in writing on forms prescribed by the director, and shall include the following:

~~((1))~~ (a) A legal description of the property upon which the public livestock market shall be located.

~~((2))~~ (b) A complete description and blueprints or plans of the public livestock market physical plant, yards, pens and all facilities the applicant proposes to use in the operation of such public livestock market.

~~((3))~~ (c) A detailed statement showing all the assets and liabilities of the applicant.

~~((4))~~ (d) The schedule of rates and charges the applicant proposes to impose on the owners of livestock for services rendered in the operation of such livestock market.

~~((5))~~ (e) The weekly or monthly sales day or days on which the applicant proposes to operate his public livestock market sales.

~~((6))~~ (f) Projected source and quantity of livestock, by county, anticipated to be handled.

~~((7))~~ (g) Projected income and expense statements for the first year's operation.

~~((8))~~ (h) Facts upon which are based the conclusion that the trade area and the livestock industry will benefit because of the proposed market.